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## TITLE 7—AGRICULTURE

### Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

#### PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

#### SUBPART B—UNITED STATES STANDARDS FOR GRADES OF PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS<sup>1</sup>

##### FROZEN CONCENTRATED ORANGE JUICE<sup>2</sup>

On June 30, 1950, a notice of proposed rule making was published in the *Federal Register* (15 F. R. 4198) regarding the proposed revision of United States Standards for Grades of Frozen Concentrated Orange Juice (7 CFR 52.492). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Frozen Concentrated Orange Juice are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.), Pub. Law 585, 81st Cong., approved June 29, 1950, and Pub. Law 627, 81st Cong., 2d Sess., approved July 31, 1950.

§ 52.492 *Frozen concentrated orange juice.* Frozen concentrated orange juice is the frozen product of concentrated, unfermented juice obtained from sound, mature fruit of the sweet orange group (*Citrus sinensis*) and Mandarin group (*Citrus reticulata*), except tangerines. The fruit is prepared by sorting and by washing prior to extraction of the juice to assure a clean product. Upon extraction of such juice, it is concentrated; and fresh orange juice extracted from sorted and washed fruit, as aforesaid, is admixed to the concentrate. The concentrated orange juice is packed in accordance with good commercial practice and is frozen and maintained at temperatures necessary for the preservation of the product.

<sup>1</sup> The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

<sup>2</sup> The requirements of these standards shall not excuse failure to comply with applicable State laws and regulations.

(a) *Styles of frozen concentrated orange juice.*—(1) *Style I, without sweetening ingredients added.* The Brix value of the finished concentrate shall be not less than 41.5 degrees nor more than 44.0 degrees.

(2) *Style II, with sweetening ingredient added.* The finished concentrate, exclusive of added sweetening ingredient, has a Brix value of not less than 40 degrees; and the finished concentrate, including added sweetening ingredient, shall have a Brix value of not less than 42 degrees but not more than 49 degrees.

(b) *Grades of frozen concentrated orange juice.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen concentrated orange juice which reconstitutes properly and of which the reconstituted juice possesses the appearance of fresh orange juice; possesses a very good color; is practically free from defects; possesses a very good flavor; and scores not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of frozen concentrated orange juice which reconstitutes properly and of which the reconstituted juice possesses a good color; is reasonably free from defects; possesses a good flavor; and scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade D" or "Substandard" is the quality of frozen concentrated orange juice that fails to meet the requirements of U. S. Grade B or U. S. Choice.

(c) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be filled with frozen concentrated orange juice as full as practicable without impairment of quality.

(d) *Ascertaining the grade.* The grade of frozen concentrated orange juice is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, absence of defects, and flavor. The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

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| Factors:               | Points |
|------------------------|--------|
| (1) Color              | 20     |
| (2) Absence of defects | 40     |
| (3) Flavor             | 40     |
| Total score            | 100    |

(c) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Frozen concentrated orange juice of which the reconstituted juice possesses a very good color may be given a score of 17 to 20 points. "Very good color" means that the color is the bright yellow to yellow-orange color typical of fresh orange juice.

(ii) If the reconstituted juice possesses a "good color," a score of 14 to 16 points may be given. Frozen concentrated orange juice that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Good color" means that the color is the yellow to yellow-orange color typical of fresh orange juice, which may be dull but is not off color for any reason.

(iii) If the reconstituted juice fails to meet the requirements of subdivision (ii) of this subparagraph, a score of 0 to 13 points may be given. Frozen concentrated orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from seeds and portions thereof, from excessive juice cells, from pulp, from recoverable oil, and from other defects.

(i) "Pulp" means particles of membrane, core, and peel.

(ii) Frozen concentrated orange juice of which the reconstituted juice is practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that there may be present: (a) Small seeds or portions thereof that are of such size that they could pass through round perforations not exceeding  $\frac{1}{8}$  inch in diameter, provided such seeds or portions thereof do not materially affect the appearance or drinking quality of the juice; (b) juice cells and pulp that do not materially affect the appearance or drinking quality of the juice; and (c) other defects that are not more than slightly objectionable. To score in this classification the frozen concentrated orange juice may contain not more than 0.100 milliliter of recoverable oil per 100 grams of the concentrated product.

(iii) If the reconstituted juice is reasonably free from defects, a score of 28 to 33 points may be given. Frozen concentrated orange juice that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that there may be present: (a) Small seeds or portions thereof that are of such size that they could pass through round perforations not exceeding  $\frac{1}{8}$  inch in diameter, provided such seeds or portions thereof do not seriously affect the appearance or drinking quality of the juice; (b) juice cells and pulp that do not seriously affect the appearance or drinking quality of the juice; and (c) other defects that are not materially objectionable. To score in this classification the frozen concentrated orange juice may contain not more than 0.120 milliliter of recoverable oil per 100 grams of the concentrated product.

(iv) Frozen concentrated orange juice that falls to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Flavor.* (i) Frozen concentrated orange juice of which the reconstituted juice possesses a very good flavor may be given a score of 34 to 40 points. "Very good flavor" means that the flavor is fine, distinct, and substantially typical of orange juice extracted from fresh mature sweet oranges. To score not less than 34 points frozen concentrated orange juice shall meet the following requirements for the respective style:

*Style I, without sweetening ingredient added.* The ratio of Brix value to acid is not less than 11.5 to 1 nor more than 18 to 1 (see Table I).

*Style II, with sweetening ingredient added.* The ratio of Brix value to acid is not less than 12 to 1 nor more than 14 to 1 (see Table II).

(ii) If the reconstituted juice possesses a good flavor, a score of 28 to 33 points may be given. Frozen concentrated orange juice that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Good flavor" means that the flavor is fairly typical of fresh orange juice extracted from fresh mature sweet oranges and is free from abnormal flavors and off flavors of any kind. To score not less than 28 points frozen concentrated orange juice shall meet the following requirements for the respective style:

*Style I, without sweetening ingredient added.* The ratio of Brix value to acid is not less than 10 to 1 nor more than 19 to 1 (see Table I).

*Style II, with sweetening ingredient added.* The ratio of Brix value to acid is not less than 10 to 1 nor more than 15 to 1 (see Table II).

(iii) If the frozen concentrated orange juice fails to meet the requirements of subdivision (ii) of this subparagraph, a score of 0 to 27 points may be given. Frozen concentrated orange juice that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

TABLE I—MAXIMUM AND MINIMUM ACID FOR FROZEN CONCENTRATED ORANGE JUICE

| Brix value of the concentrate in degrees Brix | STYLE I. WITHOUT SWEETENING INGREDIENT ADDED |            |                               |            |
|-----------------------------------------------|----------------------------------------------|------------|-------------------------------|------------|
|                                               | U. S. Grade A or U. S. Fancy                 |            | U. S. Grade B or U. S. Choice |            |
|                                               | Ratio 11.5:1                                 | Ratio 18:1 | Ratio 10:1                    | Ratio 19:1 |
|                                               | Acid (percent by weight)                     |            | Acid (percent by weight)      |            |
|                                               | Maximum                                      | Minimum    | Maximum                       | Minimum    |
| 41.5°                                         | 3.61                                         | 2.31       | 4.15                          | 2.18       |
| 41.6°                                         | 3.62                                         | 2.31       | 4.16                          | 2.19       |
| 41.7°                                         | 3.63                                         | 2.32       | 4.17                          | 2.19       |
| 41.8°                                         | 3.63                                         | 2.32       | 4.18                          | 2.20       |
| 41.9°                                         | 3.64                                         | 2.33       | 4.19                          | 2.21       |
| 42.0°                                         | 3.65                                         | 2.33       | 4.20                          | 2.21       |
| 42.1°                                         | 3.66                                         | 2.34       | 4.21                          | 2.22       |
| 42.2°                                         | 3.67                                         | 2.34       | 4.22                          | 2.22       |
| 42.3°                                         | 3.68                                         | 2.35       | 4.23                          | 2.23       |
| 42.4°                                         | 3.69                                         | 2.36       | 4.24                          | 2.23       |
| 42.5°                                         | 3.70                                         | 2.36       | 4.25                          | 2.24       |
| 42.6°                                         | 3.70                                         | 2.37       | 4.26                          | 2.24       |
| 42.7°                                         | 3.71                                         | 2.37       | 4.27                          | 2.25       |
| 42.8°                                         | 3.72                                         | 2.38       | 4.28                          | 2.25       |
| 42.9°                                         | 3.73                                         | 2.38       | 4.29                          | 2.26       |
| 43.0°                                         | 3.74                                         | 2.39       | 4.30                          | 2.26       |
| 43.1°                                         | 3.75                                         | 2.39       | 4.31                          | 2.27       |
| 43.2°                                         | 3.76                                         | 2.40       | 4.32                          | 2.27       |
| 43.3°                                         | 3.77                                         | 2.41       | 4.33                          | 2.28       |
| 43.4°                                         | 3.77                                         | 2.41       | 4.34                          | 2.28       |
| 43.5°                                         | 3.78                                         | 2.42       | 4.35                          | 2.29       |
| 43.6°                                         | 3.79                                         | 2.42       | 4.36                          | 2.29       |
| 43.7°                                         | 3.80                                         | 2.43       | 4.37                          | 2.30       |
| 43.8°                                         | 3.81                                         | 2.43       | 4.38                          | 2.31       |
| 43.9°                                         | 3.82                                         | 2.44       | 4.39                          | 2.31       |
| 44.0°                                         | 3.83                                         | 2.44       | 4.40                          | 2.32       |

TABLE II—MAXIMUM AND MINIMUM ACID FOR FROZEN CONCENTRATED ORANGE JUICE

| Brix value of the concentrate in degrees Brix | STYLE II. WITH SWEETENING INGREDIENT ADDED |            | U. S. Grade B or U. S. Choice |            |
|-----------------------------------------------|--------------------------------------------|------------|-------------------------------|------------|
|                                               | U. S. Grade A or U. S. Fancy               |            | U. S. Choice                  |            |
|                                               | Ratio 12:1                                 | Ratio 14:1 | Ratio 10:1                    | Ratio 15:1 |
|                                               | Acid (percent by weight)                   |            | Acid (percent by weight)      |            |
|                                               | Maximum                                    | Minimum    | Maximum                       | Minimum    |
| 42.0°                                         | 3.50                                       | 3.00       | 4.20                          | 2.80       |
| 42.1°                                         | 3.51                                       | 3.01       | 4.21                          | 2.81       |
| 42.2°                                         | 3.52                                       | 3.01       | 4.22                          | 2.81       |
| 42.3°                                         | 3.53                                       | 3.02       | 4.23                          | 2.82       |
| 42.4°                                         | 3.53                                       | 3.03       | 4.24                          | 2.83       |
| 42.5°                                         | 3.54                                       | 3.04       | 4.25                          | 2.83       |
| 42.6°                                         | 3.55                                       | 3.04       | 4.26                          | 2.84       |
| 42.7°                                         | 3.56                                       | 3.05       | 4.27                          | 2.85       |
| 42.8°                                         | 3.57                                       | 3.06       | 4.28                          | 2.85       |
| 42.9°                                         | 3.58                                       | 3.06       | 4.29                          | 2.86       |
| 43.0°                                         | 3.58                                       | 3.07       | 4.30                          | 2.87       |
| 43.1°                                         | 3.59                                       | 3.08       | 4.31                          | 2.87       |
| 43.2°                                         | 3.60                                       | 3.09       | 4.32                          | 2.88       |
| 43.3°                                         | 3.61                                       | 3.09       | 4.33                          | 2.89       |
| 43.4°                                         | 3.62                                       | 3.10       | 4.34                          | 2.89       |
| 43.5°                                         | 3.63                                       | 3.11       | 4.35                          | 2.90       |
| 43.6°                                         | 3.63                                       | 3.11       | 4.36                          | 2.91       |
| 43.7°                                         | 3.64                                       | 3.12       | 4.37                          | 2.91       |
| 43.8°                                         | 3.65                                       | 3.13       | 4.38                          | 2.92       |
| 43.9°                                         | 3.66                                       | 3.14       | 4.39                          | 2.93       |
| 44.0°                                         | 3.67                                       | 3.14       | 4.40                          | 2.93       |
| 44.1°                                         | 3.68                                       | 3.15       | 4.41                          | 2.94       |
| 44.2°                                         | 3.68                                       | 3.16       | 4.42                          | 2.95       |
| 44.3°                                         | 3.69                                       | 3.16       | 4.43                          | 2.95       |
| 44.4°                                         | 3.70                                       | 3.17       | 4.44                          | 2.96       |
| 44.5°                                         | 3.71                                       | 3.18       | 4.45                          | 2.97       |
| 44.6°                                         | 3.72                                       | 3.19       | 4.46                          | 2.97       |
| 44.7°                                         | 3.73                                       | 3.19       | 4.47                          | 2.98       |
| 44.8°                                         | 3.73                                       | 3.20       | 4.48                          | 2.99       |
| 44.9°                                         | 3.74                                       | 3.21       | 4.49                          | 2.99       |
| 45.0°                                         | 3.75                                       | 3.21       | 4.50                          | 3.00       |
| 45.1°                                         | 3.76                                       | 3.22       | 4.51                          | 3.01       |
| 45.2°                                         | 3.77                                       | 3.23       | 4.52                          | 3.01       |
| 45.3°                                         | 3.78                                       | 3.24       | 4.53                          | 3.02       |
| 45.4°                                         | 3.78                                       | 3.24       | 4.54                          | 3.03       |
| 45.5°                                         | 3.79                                       | 3.25       | 4.55                          | 3.03       |
| 45.6°                                         | 3.80                                       | 3.26       | 4.56                          | 3.04       |
| 45.7°                                         | 3.81                                       | 3.26       | 4.57                          | 3.05       |
| 45.8°                                         | 3.82                                       | 3.27       | 4.58                          | 3.05       |
| 45.9°                                         | 3.83                                       | 3.28       | 4.59                          | 3.06       |
| 46.0°                                         | 3.83                                       | 3.29       | 4.60                          | 3.07       |
| 46.1°                                         | 3.84                                       | 3.29       | 4.61                          | 3.07       |
| 46.2°                                         | 3.85                                       | 3.30       | 4.62                          | 3.08       |
| 46.3°                                         | 3.86                                       | 3.31       | 4.63                          | 3.09       |
| 46.4°                                         | 3.87                                       | 3.31       | 4.64                          | 3.09       |
| 46.5°                                         | 3.88                                       | 3.32       | 4.65                          | 3.10       |
| 46.6°                                         | 3.88                                       | 3.33       | 4.66                          | 3.11       |
| 46.7°                                         | 3.89                                       | 3.34       | 4.67                          | 3.11       |
| 46.8°                                         | 3.90                                       | 3.34       | 4.68                          | 3.12       |
| 46.9°                                         | 3.91                                       | 3.35       | 4.69                          | 3.13       |
| 47.0°                                         | 3.92                                       | 3.36       | 4.70                          | 3.13       |
| 47.1°                                         | 3.93                                       | 3.36       | 4.71                          | 3.14       |
| 47.2°                                         | 3.93                                       | 3.37       | 4.72                          | 3.15       |
| 47.3°                                         | 3.94                                       | 3.38       | 4.73                          | 3.15       |
| 47.4°                                         | 3.95                                       | 3.39       | 4.74                          | 3.16       |
| 47.5°                                         | 3.96                                       | 3.39       | 4.75                          | 3.17       |
| 47.6°                                         | 3.97                                       | 3.40       | 4.76                          | 3.17       |
| 47.7°                                         | 3.98                                       | 3.41       | 4.77                          | 3.18       |
| 47.8°                                         | 3.98                                       | 3.41       | 4.78                          | 3.19       |
| 47.9°                                         | 3.99                                       | 3.42       | 4.79                          | 3.19       |
| 48.0°                                         | 4.00                                       | 3.43       | 4.80                          | 3.20       |
| 48.1°                                         | 4.01                                       | 3.44       | 4.81                          | 3.21       |
| 48.2°                                         | 4.02                                       | 3.44       | 4.82                          | 3.21       |
| 48.3°                                         | 4.03                                       | 3.45       | 4.83                          | 3.22       |
| 48.4°                                         | 4.03                                       | 3.46       | 4.84                          | 3.23       |
| 48.5°                                         | 4.04                                       | 3.46       | 4.85                          | 3.23       |
| 48.6°                                         | 4.05                                       | 3.47       | 4.86                          | 3.24       |
| 48.7°                                         | 4.06                                       | 3.48       | 4.87                          | 3.25       |
| 48.8°                                         | 4.07                                       | 3.49       | 4.88                          | 3.25       |
| 48.9°                                         | 4.08                                       | 3.49       | 4.89                          | 3.26       |
| 49.0°                                         | 4.08                                       | 3.50       | 4.90                          | 3.27       |

(f) *Definitions of terms as used in these standards.* (1) "Oranges" means oranges of the sweet orange group (*Citrus sinensis*) and the Mandarin group (*Citrus reticulata*), except tangerines.

(2) "Reconstituted juice" means the product obtained by mixing thoroughly 3 parts by volume of distilled water and one part by volume of frozen concentrated orange juice.

(3) "Reconstitutes properly" means that the reconstituted juice shows no material separation of colloidal or suspended matter, leaving a zone of definitely clear liquid without any turbidity, after standing four (4) hours at a temperature of not less than 68 degrees Fahrenheit in a clear glass tube or cylinder (such as a 50 ml. graduated cylinder).

(4) "Acid" means the percent by weight of acid (calculated as anhydrous citric acid) in frozen concentrated orange juice.

(5) "Brix value" in frozen concentrated orange juice is the refractometric sucrose value determined in accordance with the International Scale of Refractive Indices of Sucrose Solutions and to which the applicable correction for acid is added. (See Table III for corrections).

TABLE III—CORRECTIONS FOR OBTAINING BRIX VALUES<sup>1</sup>

| Citric acid, anhydrous (percent by weight) | Correction to be added to refractometer sucrose value to obtain degree Brix value | Citric acid, anhydrous (percent by weight) | Correction to be added to refractometer sucrose value to obtain degree Brix value |
|--------------------------------------------|-----------------------------------------------------------------------------------|--------------------------------------------|-----------------------------------------------------------------------------------|
| 2.0                                        | 0.39                                                                              | 3.6                                        | 0.70                                                                              |
| 2.2                                        | .43                                                                               | 3.8                                        | .74                                                                               |
| 2.4                                        | .47                                                                               | 4.0                                        | .78                                                                               |
| 2.6                                        | .51                                                                               | 4.2                                        | .81                                                                               |
| 2.8                                        | .54                                                                               | 4.4                                        | .85                                                                               |
| 3.0                                        | .58                                                                               | 4.6                                        | .89                                                                               |
| 3.2                                        | .62                                                                               | 4.8                                        | .93                                                                               |
| 3.4                                        | .66                                                                               | 5.0                                        | .97                                                                               |

<sup>1</sup> Source: "Refractometric Determination of Soluble Solids in Citrus Juices," by J. W. Stevens and W. E. Baier, from the Analytical Edition of Industrial and Engineering Chemistry, vol. II, p. 447, Aug. 15, 1939.

(g) *Explanation of analyses.* (1) The measurement of Brix value is determined on the thawed concentrate in accordance with the refractometric method for sugars and sugar products, outlined in the Official and Tentative Methods of the Association of Official Agricultural Chemists.

(2) "Acid," calculated as anhydrous citric acid, is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(3) "Recoverable oil" is determined by the following method:

(i) *Equipment.* Oil separatory trap similar to either of those illustrated in Figure 1<sup>1</sup> and Figure 2:<sup>1</sup>

Gas burner or hot plate,  
Ringstand and clamps,  
Rubber tubing,  
3-liter narrow-neck flask.

(ii) *Procedure.* Exactly 400 grams of the thawed concentrate mixed with water to approximately two liters are placed in a 3-liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from the bottom to top, and bring the solution to a boil. Boiling is continued for one hour at the rate of approximately 50 drops per minute.

By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

The number of milliliters of oil recovered divided by 4 equals the volume of

<sup>1</sup> Filed as part of the original document.

recoverable oil per 100 grams of concentrate.

(h) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of frozen concentrated orange juice, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(i) *Score sheet for frozen concentrated orange juice.*

|                                                     |       |
|-----------------------------------------------------|-------|
| Size and kind of container.....                     | ..... |
| Container mark or identification.....               | ..... |
| Label.....                                          | ..... |
| Liquid measure (fl. ounces).....                    | ..... |
| Brix value of concentrate (corrected for acid)..... | ..... |
| Anhydrous citric acid (% by weight).....            | ..... |
| Brix value to acid ratio.....                       | ..... |
| Recoverable oil (ml./100 grams).....                | ..... |
| Reconstitutes properly (yes) (no).....              | ..... |
| Appearance of fresh juice (yes) (no).....           | ..... |

| Factors                     | Score points                          |
|-----------------------------|---------------------------------------|
| I. Color.....               | 20 (A) 17-20<br>(B) 14-16<br>(D) 0-13 |
| II. Absence of defects..... | 40 (A) 34-40<br>(B) 28-33<br>(D) 0-27 |
| III. Flavor.....            | 40 (A) 34-40<br>(B) 28-33<br>(D) 0-27 |
| Total score.....            | 100                                   |
| Grade.....                  | .....                                 |

<sup>1</sup> Indicates limiting rule.

(j) *Effective time and supersedure.* The revised United States Standards for Grades of Frozen Concentrated Orange Juice (which are the second issue) contained in this section shall become effective 30 days after publication in the FEDERAL REGISTER and thereupon supersede the United States Standards for Frozen Concentrated Orange Juice which have been in effect since July 25, 1949.

(Sec. 205, 60 Stat. 1090; 7 U. S. C. 1624. Interprets or applies sec. 203, 60 Stat. 1087; 7 U. S. C. 1622)

Issued at Washington, D. C., this 18th day of August 1950.

[SEAL] JOHN I. THOMPSON,  
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 50-7345; Filed, Aug. 22, 1950; 8:50 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 43-4]

#### PART 43—GENERAL OPERATION RULES

AIRCRAFT IDENTIFICATION MARKS AND  
AIRCRAFT AIRWORTHINESS; RESTRICTED  
CATEGORY

#### Correction

In Federal Register Document 50-7073, published at page 5226 in the issue for Saturday, August 12, 1950, in the ninth line of § 43.10 (c) (6) the symbol "O" should read "C".

## TITLE 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of Industry and Commerce

[5th Gen. Rev. of Export Regs., Amdt. 13]

#### PART 371—GENERAL LICENSES

COUNTRY GROUPS; SHIPMENTS OF LIMITED  
VALUE

1. Section 371.3 General license country groups is amended in the following particulars:

Paragraph (a) Grouping of countries is amended to read as follows:

(a) *Grouping of countries.* Two general license country groups are hereby designated: Group R and Group O.

(1) Country Group O consists of the following countries and other destinations:

#### NORTH AMERICA

Northern area:

Greenland.  
Miquelon and St. Pierre Islands.

Southern area:

Mexico (including Cozumel and Revilla Gigoedo Islands).

Central America:

Guatemala.  
British Honduras.  
El Salvador.  
Honduras (including the Bay Islands).

Nicaragua.

Costa Rica.

Panama, Republic of.

Bermuda and Caribbean:

Bermuda.  
Bahamas.  
Cuba (including Isle of Pines).  
Jamaica.  
Haiti (including Gonave and Tortue Islands).  
Dominican Republic.  
Leeward and Windward Islands.  
Barbados.  
Trinidad and Tobago.  
Curacao (Netherlands West Indies).  
French West Indies.

#### SOUTH AMERICA

Northern area:

Colombia.  
Venezuela.  
British Guiana.  
Surinam (Netherlands Guiana).  
French Guiana (including Inini).

Western area:

Ecuador (including the Galapagos Islands).  
Peru.  
Bolivia.  
Chile (including the Islands Sala-y-Gomes, Juan Fernandez, San Felix, San Ambrosia, and Easter Island).

## Eastern area:

Brazil (including the islands St. Paul, Fernando Noronha, and Trinidad (in South Atlantic)).  
Uruguay.  
Paraguay.  
Argentina.  
Falkland Islands.

(2) Country Group R includes and consists of all countries and other destinations not included in Country Group O, except Canada (including Newfoundland and Labrador). Within Country Group R there is established Sub-group A, which includes and consists of the following countries and other destinations:

Albania.  
Bulgaria.  
China, including the provinces of Suiyuan, Chahar, Ningxia, and Jehol (sometimes referred to as Inner Mongolia); the provinces of Chinghai (Tsinghai) and Sikang; Sinkiang; Tibet; and Outer Mongolia; but excluding Manchuria, and excluding Taiwan (Formosa).  
Czechoslovakia.  
Estonia.  
Germany (Russian Occupied Zone only).  
Hungary.  
Latvia.  
Lithuania.  
Manchuria, including the former Kwantung Leased Territory. (The present Port Arthur Naval Base Area and the Liaoning Province).  
North Korea.  
Poland and Danzig.  
Rumania.  
Union of Soviet Socialist Republics.

2. Section 371.10 *Shipments of limited value GLV* is amended in the following particulars:

Paragraph (c) *General provisions* is amended in the following particulars:  
Subparagraph (1) *Positive List* is amended to read as follows:

(1) *Positive List*. Subject to the special provisions as designated and set forth in this section, commodities included on the Positive List of Commodities (§ 399.1 of this chapter) which have a dollar value specified may be exported under this general license to all destinations, except those in Sub-Group A (see § 371.3 (a)), as follows: R commodities may be exported to Group R destinations, and RO commodities may be exported to Group R or Group O destinations, where, in a single shipment, the net value of the commodities classified in a single entry on the Positive List does not exceed the specified dollar value limit in the column headed "GLV Dollar Value Limits."

NOTE: Positive List commodities may not be exported in any quantity under general license GLV to destinations in Sub-group A (§ 371.3 (a)).

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

This amendment shall become effective August 17, 1950.

Issued this 18th day of August 1950.

[SEAL] RAYMOND S. HOOVER,  
Issuance Officer.

[F. R. Doc. 50-7342; Filed, Aug. 22, 1950; 8:50 a. m.]

[5th Gen. Rev. of Export Regs., Amdt. 12<sup>1</sup>]

## PART 371—GENERAL LICENSES

## IN-TRANSIT LICENSE; EXCEPTED COMMODITY LIST

Section 371.9 *General in-transit license GIT* is amended in the following particulars:

Paragraph (c) *Excepted commodity list* is amended by revising the entries for Schedule B Nos. 504800, 547300, and 548098; and by adding certain other graphite products, Schedule B No. 547400 to read as follows:

| Commodity                                                                                                                                   | Schedule B No. | Schedule S No. <sup>1</sup> |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------|
| Petroleum coke, including petroleum coke flour                                                                                              | 504800         | 517                         |
| Carbon or artificial graphite electrodes for furnace or electrolytic work, 2 inches in cross-sectional dimension and over                   | 547300         | 555                         |
| Brushes and brush stock in the form of blocks, plates, and rods, carbon and artificial graphite                                             | 547400         | 555                         |
| Artificial graphite powder                                                                                                                  | 548098         | 555                         |
| Carbon or artificial graphite scrap                                                                                                         | 548098         | 555                         |
| Carbon or artificial graphite blocks, bricks, or plates—all sizes (report brush stock in 547400)                                            | 548098         | 555                         |
| Carbon or artificial graphite electrodes other than for furnace or electrolytic work, and rods, 2 inches cross-sectional dimension and over | 548098         | 555                         |

<sup>1</sup> The Department of Commerce Schedule S number is shown for each commodity. All shipments of merchandise for which the shipper's export declaration for in-transit goods is required must be reported in terms of Schedule S, as well as Schedule B.

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

This amendment shall become effective as of August 10, 1950.

Issued this 18th day of August 1950.

[SEAL] RAYMOND S. HOOVER,  
Issuance Officer.

[F. R. Doc. 50-7341; Filed, Aug. 22, 1950; 8:50 a. m.]

[5th Gen. Rev. of Export Regs., Amdt. 14]

## PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

## PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

## ISSUANCE AND USE OF EXPORT LICENSES; IRON AND STEEL PRODUCTS

1. Section 372.11 *Issuance and use of export licenses* is amended in the following particulars:

Paragraph (e) *Validity of licenses* and paragraph (f) *Shipments against expiring licenses* are amended to read as follows:

(e) *Validity of licenses*. (1) Outstanding licenses may be revised, suspended, or revoked, or the validity periods thereof may be extended or reduced, by appropriate orders or regulations.

(2) Individual export licenses will be issued for a validity period of six months from the date of validation, unless otherwise stated on the face of the license.

<sup>1</sup> This amendment was published in Current Export Bulletin No. 581, dated August 10, 1950.

NOTE: Refer to Part 373 to determine if the special provisions for a commodity include any particular terms regarding the validity period of the individual export license.

(f) *Shipments against expiring licenses*—(1) *Commodities ready for loading or laden*. Commodities which are (i) laden aboard the exporting carrier or (ii) ready for lading and located on a pier for the purpose of lading prior to midnight of the expiration date of a license, and not for the purpose of storage, may clear with the vessel even though the vessel does not clear until after the expiration date of the license. Furthermore, where the vessel is expected to be available at the pier for loading in advance of the expiration of the license, but exceptional and unforeseen circumstances delay it, the commodities may be cleared for export without an extension of the validity period of the license, if in the judgment of the collector of customs undue hardship would otherwise result.

(2) *Other shipments*. Licensed shipments not coming within one of the foregoing provisions may not be cleared for export except by extension of the validity period of the license by the Department of Commerce.

2. Section 373.2 *Special provisions for iron and steel products* is amended in the following particulars:

Subparagraph (a) (3) *Validity period* is hereby deleted.

(63 Stat. 7; E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

Issued this 18th day of August 1950.

[SEAL] RAYMOND S. HOOVER,  
Issuance Officer.

[F. R. Doc. 50-7343; Filed, Aug. 22, 1950; 8:50 a. m.]

## TITLE 21—FOOD AND DRUGS

## Chapter I—Food and Drug Administration, Federal Security Agency

## PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

## PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

## MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. and Supp., 357) the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR 141.1 et seq., and 1949 Supp.) and certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 146.1 et seq., and 1949 Supp.) are amended as indicated below:

1. In § 141.5 *Sodium penicillin* . . . , paragraph (f) *Penicillin K content*, eighth sentence, is amended by changing "(e)" to "(d)."

2. Part 141 is amended by adding the following new section:

§ 141.39 *Penicillin and streptomycin, penicillin and dihydrostreptomycin*—(a) *Potency*—(1) *Total penicillin content*. Proceed as directed in § 141.1.

(2) *Procaine penicillin and sodium or potassium penicillin*—(i) *Procaine penicillin content*. Proceed as directed in § 141.32 (b) (3), except prepare the sample as follows: Add the indicated amount of distilled water to the contents of a vial of the sample and shake well. Withdraw one dose of the suspension or solution with a hypodermic syringe, place in a 250-ml. volumetric flask and make to 250 ml. with 1% phosphate buffer pH 6.0. Dilute a 5.0 ml. aliquot of this solution to 100 ml. with distilled water. The procaine penicillin found in a 2-ml. aliquot of this solution X 2500 gives the procaine penicillin content of one dose of the preparation under test. The content of procaine penicillin in the batch is satisfactory when determined by the method described in this subdivision if it is not less than 85% of that which it is represented to contain.

(ii) *Sodium or potassium penicillin content*. Determine the total penicillin content as directed under subparagraph (1) of this paragraph. Obtain the sodium or potassium penicillin content by subtracting the procaine penicillin content obtained under subdivision (i) of this subparagraph from the total penicillin content. The sodium or potassium penicillin content of the batch is satisfactory if it is not less than 85% of that which it is represented to contain.

(3) *Streptomycin content*. Proceed as directed in § 141.101 (j) and (k).

(4) *Dihydrostreptomycin content*. Proceed as directed in § 141.108 (a).

(b) *Sterility*. If the sample contains streptomycin, proceed as directed in § 141.102, except that *M. pyogenes* var. *aureus* (PCI 1214) is used as the control-test organism. If the sample contains dihydrostreptomycin add sufficient sterile penicillinase to completely inactivate the penicillin and proceed as directed in § 141.108 (c).

(c) *Toxicity*. Proceed as directed in § 141.103.

(d) *Pyrogens*. Proceed as directed in § 141.104.

(e) *Moisture*. Proceed as directed in § 141.26 (e).

(f) *pH*. Proceed as directed in § 141.5 (b), using the solution or suspension resulting when the amount of diluent recommended in the labeling is added.

3. Part 146 is amended by adding the following new section:

§ 146.58 *Penicillin and streptomycin, penicillin and dihydrostreptomycin*—(a) *Standards of identity, strength, quality, and purity*. Penicillin and streptomycin is procaine penicillin or crystalline sodium penicillin or potassium penicillin or a mixture of procaine penicillin and crystalline sodium penicillin or potassium penicillin and streptomycin sulfate. Penicillin and dihydrostreptomycin is procaine penicillin or crystalline sodium penicillin or potassium penicillin or a mixture of procaine penicillin and crystalline sodium penicillin or potassium

penicillin and dihydrostreptomycin sulfate. Each such drug may contain suitable and harmless buffer substances, suspending or dispersing agents. It is so purified and dried that:

- (1) It is sterile;
- (2) It is nontoxic;
- (3) It is nonpyrogenic;
- (4) Its moisture content is not more than 3.5%;

(5) When prepared for injection as directed in its labeling its pH is not less than 5.0 and not more than 7.5.

The procaine penicillin used conforms to the requirements prescribed by § 146.44 (a). The crystalline penicillin used conforms to the requirements prescribed for crystalline penicillin by § 146.24 (a). The streptomycin sulfate used conforms to the requirements prescribed by § 146.101 (a). The dihydrostreptomycin sulfate used conforms to the requirements prescribed by § 146.106 (a). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging*. In all cases, the immediate containers shall be tight containers as defined by the U. S. P., shall be sterile at the time of filling and closing, shall be so sealed that the contents cannot be used without destroying such seal, and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused which are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. In case it is packaged for dispensing, it shall be in immediate containers of colorless, transparent glass, closed by a substance through which a hypodermic needle may be introduced and withdrawn without removing the closure or destroying its effectiveness; each such container shall contain 300,000 units, 600,000 units, 900,000 units, 1,500,000 units or 3,000,000 units of procaine penicillin or crystalline sodium penicillin or potassium penicillin and 1 gm. of streptomycin or dihydrostreptomycin for each 300,000 units of penicillin, except if it is a mixture of two salts of penicillin it shall contain not less than 100,000 units of crystalline sodium penicillin or potassium penicillin for each 300,000 units of procaine penicillin. Each such container may be packaged in combination with a container of a solvent, water for injection U. S. P., dextrose injection U. S. P., or physiological salt solution U. S. P.

(c) *Labeling*. Each package shall bear on its label or labeling as hereinafter indicated the following:

- (i) On the outside wrapper or container:
- (i) The batch mark;
- (ii) The number of units of each salt of penicillin in the immediate container;
- (iii) The number of grams of streptomycin or dihydrostreptomycin in the immediate container;
- (iv) The statement "Expiration date \_\_\_\_\_," the blank being filled in with the

date which is 18 months after the month in which batch was certified;

(v) The statement "For intramuscular use only"; and

(vi) The statement "For manufacturing use," "For repackaging," or "For manufacturing use or repackaging," when packaged for repackaging or for use as an ingredient in the manufacture of another drug, as the case may be.

(2) On the circular or other labeling within or attached to the package, if it is packaged for dispensing, adequate directions for use and warning as required by section 502 (f) of the act, including:

- (i) Clinical indications;
- (ii) Dosage and administration including method of preparing the drug for injection;

(iii) The conditions under which suspensions made from such drug should be stored, and the statement "Sterile suspension may be kept in refrigerator for one week without significant loss of potency";

- (iv) Contraindications; and
- (v) Untoward effects that may accompany administration, including sensitization.

If two or more immediate containers are in such package, the number of such circulars or other labeling shall not be less than the number of such containers.

(d) *Request for certification; samples*.

(1) In addition to complying with the requirements of § 146.2, a person who requests certification of a batch of penicillin and streptomycin or penicillin and dihydrostreptomycin shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the number of units of each salt of penicillin, and the number of grams of streptomycin or dihydrostreptomycin in each package, the batch marks, and (unless they were previously submitted) the dates on which the latest assays of the penicillin and streptomycin or dihydrostreptomycin used in making such batch were completed, the date on which the latest assay of the drug comprising such batch was completed, the quantity of each ingredient used in making the batch and a statement that each such ingredient conforms to the requirements prescribed therefor by this section. If such batch, or any part thereof, is to be packaged with a solvent, such request shall also be accompanied by a statement that such solvent conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided by subparagraph (5) of this paragraph, such person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

- (i) The batch; potency, sterility, toxicity, pyrogens, moisture, pH.

(ii) The procaine penicillin used in making the batch; potency, crystallinity, penicillin K content (unless it is procaine penicillin G), and the penicillin G content if it is procaine penicillin G.

(iii) The crystalline sodium or potassium penicillin used in making the batch; potency, crystallinity, heat stability, penicillin K content (unless it is

crystalline penicillin G), and the penicillin G content if it is crystalline penicillin G.

(iv) The streptomycin or dihydrostreptomycin used in making the batch; potency, histamine content, streptomycin content if it is dihydrostreptomycin, and crystallinity if it is crystalline dihydrostreptomycin.

(3) Except as otherwise provided by subparagraph (5) of this paragraph, if such batch is packaged for dispensing, such person shall submit in connection with his request in the quantities hereinafter indicated accurately representative samples of the following:

(i) The batch; one immediate container for each 5,000 immediate containers in such batch, but in no case less than 12 or more than 19 immediate containers collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The procaine penicillin used in making the batch; 3 packages containing approximately equal portions of not less than 0.5 gm. each packaged in accordance with the requirements of § 146.44 (b).

(iii) The crystalline penicillin used in making the batch; 3 packages containing approximately equal portions of not less than 250 mg. each packaged in accordance with the requirements of § 146.24 (b).

(iv) The streptomycin or dihydrostreptomycin used in making the batch; 3 packages containing approximately equal portions of not less than 0.5 gm. each packaged in accordance with the requirements of § 146.101 (b).

(v) In case of an initial request for certification, each other ingredient used in making the batch; one package of each containing approximately 5 gm.

(4) If such batch is packaged for repackaging, such person shall submit with his request a sample containing twelve approximately equal portions of at least 2 gm. each taken from different parts of such batch; each such portion shall be packaged in a separate container and in accordance with the requirements of paragraph (b) of this section.

(5) No result referred to in subparagraph (2) (ii), (iii), and (iv) of this paragraph, and no sample referred to in subparagraph (3) (ii), (iii), and (iv) of this paragraph, is required if such result or sample has been previously submitted.

(e) Fees. The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) \$4.00 for each immediate container in the sample submitted in accordance with paragraph (d) (3) and (4) of this section; and

(2) If the Commissioner considers that investigations other than examination of such immediate containers are necessary to determine whether or not such batch complies with the requirements of § 146.3 for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d).

This order, which provides for tests and methods of assay and certification of two new antibiotic products, penicillin and streptomycin, and penicillin and dihydrostreptomycin, shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industries will be benefited by the earliest effective date, and I so find.

Notice and public procedure are not necessary prerequisites to the promulgation of this order and would be contrary to public interest, and I so find, since it was drawn in collaboration with interested members of the affected industries and since it would be against public interest to delay the marketing of penicillin and streptomycin, and penicillin and dihydrostreptomycin.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. and Sup., 357)

Dated: August 16, 1950.

[SEAL] JOHN L. THURSTON,  
Acting Administrator.

[F. R. Doc. 50-7333; Filed, Aug. 22, 1950; 8:47 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### Subchapter F—Reserve Forces

#### PART 862—AIR RESERVE OFFICERS' TRAINING CORPS

#### RELATION OF SELECTIVE SERVICE ACT TO AIR FORCE RESERVE OFFICERS' TRAINING CORPS

Part 862 is hereby amended by adding §§ 862.76 to 862.88 as follows:

| Sec.   | Purpose.                                                   |
|--------|------------------------------------------------------------|
| 862.76 | Definitions.                                               |
| 862.77 | Students enrolled in advanced course before June 24, 1948. |
| 862.78 | Other students.                                            |
| 862.79 | Selection of students for deferment.                       |
| 862.80 | Deferment.                                                 |
| 862.81 | Enrollment.                                                |
| 862.82 | Veterans.                                                  |
| 862.83 | Concurrent membership in Reserve components.               |
| 862.84 | Appointment of graduates—special cases.                    |
| 862.85 | Postponed camp attendance.                                 |
| 862.86 | Students previously deferred.                              |
| 862.87 | Students granted advanced standing.                        |
| 862.88 |                                                            |

AUTHORITY: §§ 862.76 to 862.88 issued under sec. 6, 62 Stat. 609; 50 U. S. C. App., Sup., 456. Interpret or apply secs. 3, 7, 62 Stat. 605, 614; sec. 21, Pub. Law 599, 81st Cong.; 50 U. S. C. App., Sup., 453, 457.

DERIVATION: AFR 45-52.

§ 862.76 Purpose. The regulations contained in §§ 862.76 to 862.88 outline instructions regarding the effect of the Selective Service Act of 1948 (62 Stat. 604; 50 U. S. C. App., Sup., 451-470) and the Selective Service Extension Act of 1950 (Pub. Law 599, 81st Cong.) on the enrollment and continuance of students

in the Air Force Reserve Officers' Training Corps.

§ 862.77 Definitions. Except where specifically stated otherwise, the following terms as used in §§ 862.76 to 862.88 are defined as follows:

(a) Act means Title I of the Selective Service Act of 1948 (62 Stat. 604; 50 U. S. C. App., Sup., 451-470), as extended by the Selective Service Extension Act of 1950 (Pub. Law 599, 81st Cong.).

(b) Advanced course includes the summer camp prescribed by law.

(c) Begun the work of the advanced course (or the basic course or a specific year of either) means attendance had actually begun at classroom or other instruction periods conducted in compliance with the appropriate program of instruction prescribed by the Department of the Air Force.

(d) Completion of the course of instruction means completion of the unfinished portion of both the Air Force Reserve Officers' Training Corps course and the nonmilitary educational course required under current regulations for commissioned appointment.

(e) In good standing means the maintenance of a level of scholarship and deportment which, if continued, would insure the graduation of the student at the normal time.

(f) Authorized periods of nonattendance means:

(1) Regularly scheduled vacation periods.

(2) Periods of sick leave authorized by the Professor of Air Science and Tactics.

(3) Periods of leave from the military course of instruction, when authorized by air force commanders.

(g) Air force commander includes the commanders of numbered Continental Air Command air forces and the Commander, Pacific Division, Military Air Transport Service.

(h) Between the ages of 18 and 26 refers to men who have attained the eighteenth anniversary of the day of their birth and who have not attained the twenty-sixth anniversary of the day of their birth. Other terms designating different age groups will be similarly construed.

(i) Deferment means a deferment from induction under Selective Service and does not imply a deferment from orders or call to active military service as a member of a component of the Air Force of the United States (Air National Guard of the United States or United States Air Force Reserve). Enrollment in the Air Force Reserve Officers' Training Corps or deferment from induction under the provisions of the regulations contained in §§ 862.76 to 862.88 do not in themselves establish status of a member of a component of the Air Force of the United States.

§ 862.78 Students enrolled in advanced course before June 24, 1948—(a) Students affected. Students affected are those students who were formerly enrolled under written contract in the advanced course, Air Force Reserve Officers' Training Corps, and who had

actually begun the work of the advanced course prior to June 24, 1948.

(b) *Deferment from induction.* Students affected are and will continue to be deferred from induction for service or training as follows:

(1) Until completion of the course of instruction: *Provided*, That they respectively remain in good standing and their attendance is continuous except for authorized periods of nonattendance. (See also § 862.85.) The deferment granted any student under section 6 (d) (1) of the act will be terminated immediately, and then he will become subject to induction unless otherwise deferred or exempted, if he:

(i) Fails to remain in good standing in either his academic or military course.

(ii) Has failed to demonstrate proper and sufficient aptitude to indicate that further instruction will qualify him for a commissioned appointment.

(iii) Fails to pursue the Air Force Reserve Officers' Training Corps course throughout any semester or term in which he normally would be expected to be in attendance, or fails to attend camp when ordered thereto by competent authority.

(iv) Declines or fails to accept a commissioned appointment in a component of the Air Force when and if tendered him.

(2) As long after completion of the course of instruction as they respectively remain in Regular or Reserve status as commissioned officers. (See also § 862.85.)

(c) *Registration.* Students affected will be required to register under the provisions of section 3 of the act, if between the ages of 18 and 26, on the day or days proclaimed for registration by the President, regardless of deferment or exemption from induction to which entitled.

(d) *Obligation for active military service.* (1) While satisfactorily pursuing the course of instruction, students affected will not be subject to induction under Selective Service. However, students enrolled in the Air Force Reserve Officers' Training Corps and deferred from induction under the provisions of §§ 862.76 to 862.88, who are also members of a Reserve component of any of the Armed Forces, are subject to active military service under the provisions of section 21 of the act.

(2) Subsequent to acceptance of commissioned appointments in a component of the Air Force, students affected who have had:

(i) Ninety days or more continuous active service in the Armed Forces (exclusive of periods of active training duty) are not subject to induction under Selective Service. However, under the provisions of section 21 of the act, or in the event of a declaration of war or National emergency by Congress subsequent to July 9, 1950, they will be subject to active military service as commissioned officers.

(ii) Less than 90 days' continuous active service in the Armed Forces (exclusive of periods of active training duty) are subject to 21 months' active service as officers in the Air Force, when and if ordered by direction of the President.

(e) *Notification of local boards.* Every student who is entitled to deferment

under the provisions of section 6 (d) (1) of the act will be responsible for:

(1) Promptly notifying his local board in writing that he has been certified for deferment from induction by the provisions of section 6 (d) (1) of the act, and of any subsequent change in status which terminates such deferment.

(2) Promptly notifying his Professor of Air Science and Tactics of the number and address of his local board, and requesting the Professor of Air Science and Tactics to furnish the local board with official notification of his certification for deferment.

§ 862.79 *Other students—(a) Students who may be affected.* Students who may be affected are:

(1) Eligible students who have been or may be selected for enrollment in the advanced course, Air Force Reserve Officers' Training Corps, but who had not actually entered upon the work of the advanced course on June 30, 1950.

(2) Eligible students, who have completed the first-year basic course or the prescribed equivalent amount of military service or training and desire to continue in or enter the second-year basic course.

(3) Eligible students who desire to enter or continue in the first-year basic course.

(b) *Deferment from induction.* Under the conditions and limitations set forth in paragraph (c) of this section, selected students in the categories defined in paragraphs (a) (1), (2), and (3) of this section, will be deferred from induction for training and service under Selective Service as follows:

(1) Until completion of the course of instruction, provided that they respectively remain in good standing and their attendance is continuous except for authorized periods of nonattendance. (See §§ 862.77 and 862.85.) The deferment granted any student under section 6 (d) (2) of the act will be terminated and he will immediately become subject to induction unless otherwise exempted or deferred, if any of the conditions set forth in § 862.78 (c) (1) exist. Deferment from Selective Service induction under the provisions of this paragraph does not imply exemption or deferment from order or call to active duty of members of the Air Force Reserve Officers' Training Corps who are also members of a component of any of the Armed Forces.

(2) As long after completion of the course of instruction as they respectively remain in Regular or Reserve status as commissioned officers. Deferment from Selective Service induction under the provisions of this paragraph does not imply deferment or exemption from call or order to active duty as commissioned officers of a component of any of the Armed Forces.

(c) *Conditions for deferment.* To be deferred from induction under the provisions of section 6 (d) (2) of the act, the student must:

(1) Be selected for deferment by the Professor of Air Science and Tactics within the limitations of the deferment quota allotted to the unit concerned. (See §§ 862.80 and 862.81.)

(2) Be selected for admission to the advanced course when eligible therefor, and at that time sign a contract which provides that in consideration of commutation of subsistence furnished him in accordance with law, the student agrees to complete the advanced course at the institution in which he is enrolled or any other institution where such course is given, to devote 5 hours per week during such period to the military training prescribed and to pursue the prescribed course of camp training.

(3) Sign a deferment agreement which requires him to:

(i) Accept appointment as a commissioned officer in a component of the Air Force, if and when tendered.

(ii) Serve not less than two years of active duty as an officer with the Air Force, subject to call by the Secretary of the Air Force.

(d) *Registration.* Students affected will be required to register under the provisions of section 3 of the act, if between the ages of 18 and 26, on the day or days proclaimed for registration by the President, regardless of deferment or exemption from induction to which entitled.

(e) *Obligation for active military service.* (1) While satisfactorily pursuing the course of instruction, students granted deferment under the provisions of section 6 (d) (2) of the act will not be subject to induction under Selective Service. However, students enrolled in the Air Force Reserve Officers' Training Corps and deferred from induction under the provisions of §§ 862.76 to 862.88, who are also members of a Reserve component of any of the Armed Forces are subject to active military service under the provisions of section 21 of the act.

(2) Subsequent to acceptance of commissioned appointments in a component of the Air Force, students who will have been deferred under section 6 (d) (2) of the act will be subject to active military service as officers for not less than two years, with the Air Force, subject to call by the Secretary of the Air Force. (See also § 862.83.)

(f) *Notification of local boards.* Every student who is certified for deferment under the provisions of section 6 (d) (2) of the act will be responsible for:

(1) Promptly notifying his local board in writing that he has been certified for deferment from induction under the provisions of section 6 (d) (2) of the act. Every student who is granted such deferment in advance of his actual registration will notify his local board at the time of registration.

(2) Promptly notifying his local board in writing of any subsequent change in status which terminates such deferment.

(3) Promptly notifying his Professor of Air Science and Tactics of the number and address of his local board when determined, and requesting the Professor of Air Science and Tactics to furnish the local board with official certification for deferment.

§ 862.80 *Selection of students for deferment.* (a) The Professor of Air Science and Tactics will in conjunction with the institution authorities establish a board or boards which will recommend

students for deferment to the Professor of Air Science and Tactics. Each such board will be composed of not less than three members and will include representatives of the military and academic faculties. In no case, however, will a board have a majority representation of the academic faculty.

(b) A period of one semester (or two quarters) will intervene between the beginning of the academic year and the final selection of first-year basic course students for deferment. During this period each applicant will be closely observed by members of the military faculty to determine leadership ability. Any applicant judged deficient in leadership qualities may, at the discretion of the board, be eliminated.

**§ 862.81 Deferment.** (a) Deferment under the provisions of section 6 (d) (2) of the will not be granted prior to the beginning of the 1950-51 academic year, except in the following cases:

(1) Students who executed a deferment agreement prior to June 30, 1950.

(2) Students formally enrolled in the advanced course who are not entitled to deferment or exemption from induction under any provision of the act other than section 6 (d) (1) or 6 (d) (2).

(3) Students who have been selected for admission to the advanced course within enrollment quotas, who have signed the provisional agreement (contract) (see § 862.79 (c) (2)) for admission to the advanced course at the beginning of the 1950-51 school year, and who are not entitled to deferment or exemption from induction under any provision of the act other than section 6 (d) (1) or 6 (d) (2).

(b) During the first semester or term of the 1950-51 academic year, deferment quotas will be disbursed in part in the following priorities:

(1) To all enrolled members of the second-year advanced course who satisfy the conditions set forth in § 862.79 (c) and who are not entitled to deferment or exemption from induction under any provision of the act other than section 6 (d) (2) or 6 (i) (2).

(2) To all enrolled members of the first-year advanced course who satisfy the conditions set forth in § 862.79 (c) and who are not entitled to deferment or exemption under any provision of the act other than section 6 (d) (2) or 6 (i) (2).

(c) During the final semester or term of the 1950-51 academic year, Professors of Air Science and Tactics will disburse such portion of the unexpended deferment quota as they see fit, in the following priorities, to:

(1) Students who have been enrolled in the advanced course under contract, subsequent to the beginning of the 1950-51 academic year, who satisfy the conditions set forth in § 862.79 (c) and who are not entitled to deferment or exemption under any provision of the act other than section 6 (d) (2) or 6 (i) (2).

(2) Enrolled members of the second-year basic course who are regarded as suitable for admission to the advanced course and for eventual commissioning, who satisfy the conditions set forth in

§ 862.79 (c) and who are not entitled to deferment or exemption under any provision of the act other than section 6 (d) (2) or 6 (i) (2).

(3) Enrolled members of the first-year basic course who are regarded as suitable for eventual admission to the advanced course and subsequent commissioning, who satisfy the conditions set forth in § 862.79 (c) and who are not entitled to deferment or exemption under any provision of the act other than section 6 (d) (2) or 6 (i) (2).

(4) Enrolled members of the first-year advanced course, second-year basic course, and first-year basic course, in the order stated, who are regarded as suitable for eventual commissioning, who satisfy the conditions set forth in § 862.79 (c), and who are entitled to deferment or exemption on the basis of prior active military service or concurrent membership in a Reserve component of the Air Force or of some provision of the act other than section 6 (d) (2).

(d) Enrollment in either the basic course or advanced course does not in itself exempt or defer the student from induction.

**§ 862.82 Enrollment — (a) General.** Any qualified student may be enrolled in the Air Force Reserve Officers' Training Corps within quota limitations regardless of his desire for deferment. However, selection for admission to the advanced course will be determined with full regard for the qualifications of individual applicants and preference will be given to those who execute a deferment agreement and who have no conflicting obligation of service, such as membership in a Reserve component of the Air Force.

(b) *Limitations.* (1) Contractual enrollment in the advanced course will be limited by advanced course quotas issued to each unit for the school year 1950-51. However, when desired by institutional authorities (and approved by the Professor of Air Science and Tactics) students who are not eligible for enrollment in the Air Force Reserve Officers' Training Corps may be permitted to pursue the advanced course without expense to the Government. Such students cannot be issued Government uniforms or commutation therefor, but may use the arms and equipment issued to the institution. These students are limited to the number that can be accommodated and may not be granted deferment while in this status.

(2) Students may be enrolled in the basic course up to the number that can be accommodated by instructor personnel now assigned to or under orders to join the units concerned and by available uniforms and equipment.

**§ 862.83 Veterans.** Veterans who were not enrolled in the basic course or the advanced course on or before June 30, 1950, and who are exempt from induction by virtue of previous honorable active service in the Armed Forces, may, if otherwise eligible, be enrolled in the basic course or the advanced course, as appropriate, and may apply for and be granted deferment under the provisions of section 6 (d) (2) of the act. (See §§ 862.79 and 862.81.) The exemption granted by virtue of previous military service remains valid only in the absence of a declaration

of war or National emergency by Congress subsequent to July 9, 1950, and of the execution of the provisions of section 21 of the act in the case of veterans who are members of a component of any of the Armed Services.

**§ 862.84 Concurrent membership in Reserve components.** (a) Enlisted and warrant officer personnel of the Air National Guard of the United States and the Air Force Reserve who are concurrently enrolled in the basic course or the advanced course, Air Force Reserve Officers' Training Corps, may if otherwise eligible and if selected be granted deferment under the conditions stated in §§ 862.79 and 862.81, regardless of deferment or exemption by virtue of previous active military service or membership in a Reserve component of the Air Force. Applicants in this category will be advised that deferment under the provisions of §§ 862.76 to 862.88 does not exempt or defer them from call or order to active military service as members of a Reserve component under the provisions of section 21 of the act.

(b) Enlisted and warrant officer personnel of any of the Reserve components of the Army, Navy, Marine Corps, or Coast Guard are not eligible for formal enrollment in the advanced course, Air Force Reserve Officers' Training Corps, and will not be granted deferment under the provisions of §§ 862.76 to 862.88 but may be formally enrolled in the basic course or permitted to pursue the advanced course under the conditions set forth in § 862.82 (b) (1), at the discretion of the Professor of Air Science and Tactics. The provisions of this paragraph will not be interpreted as requiring the cancellation or termination of a deferment previously granted a person in this category, but each such person will be advised of his liability for call or order to active military service under the provisions of section 21 of the act.

**§ 862.85 Appointment of graduates—special cases.** (a) Students who are less than 21 years of age at the time of completing the course of instruction may be appointed as commissioned officers of a Reserve component of the Air Force if otherwise qualified.

(b) Students who complete the advanced course (including camp) prior to completion of the educational course will continue to be deferred from induction pending completion of the educational course, provided that they remain in good standing and that their attendance at regularly scheduled academic classes is not interrupted except for authorized periods of nonattendance. They may be appointed as commissioned officers of a Reserve component of the Air Force upon successful completion of the educational requirement, if otherwise qualified, regardless of whether they have attained the age of 21 years. If a student is permitted to transfer to a new academic course, and when such transfer will result in an extension of the period of the course of instruction beyond the normal date of completion of the original course, his deferment may be extended for not more than one year beyond the normal date of completion of the original course,

at the discretion of the Air Force commander.

(c) The provisions of paragraphs (a) and (b) of this section will apply to students who will have completed the advanced course, with camp, prior to the beginning of the 1950-51 academic year.

(d) The requirement for active military service specified in § 862.78 (d) or § 862.79 (e) will apply, as appropriate, as well as the provisions of section 21 of the act.

§ 862.86 *Postponed camp attendance.* Students who have been authorized by the air force commander to postpone attendance at Air Force Reserve Officers' Training Corps summer camp will be deferred from induction pending completion of camp training. However, postponement of camp attendance beyond the summer following completion of academic work will be authorized only by the Department of the Air Force and only in exceptional cases.

§ 862.87 *Students previously deferred.* (a) The enactment of the Selective Service Extension Act of 1950 does not affect deferments granted under the provisions of the Selective Service Act of 1948, prior to June 30, 1950, which were in effect on that date. Such deferments automatically continue in force until the student completes the course of instruction and as long thereafter as he remains in Regular or Reserve status as a commissioned officer, unless sooner terminated or cancelled for cause, as outlined in § 862.79 (b) (1) and (2).

(b) Students who, prior to June 30, 1950, were deferred, and whose deferments were subsequently cancelled or became subject to cancellation because of their failure to comply faithfully with all conditions under which deferments were originally granted, are not eligible for re-deferment under the provisions of the regulations contained in §§ 862.76 to 862.88 without the approval of the Chief of Staff, United States Air Force, in each individual case. The provisions of this paragraph apply particularly to persons who withdrew or were discharged from the basic course or the advanced course for their own convenience, after having been granted deferment as members thereof, prior to satisfactory completion of the course in which enrolled.

§ 862.88 *Students granted advanced standing.* Students who are granted advanced standing in the Air Force Reserve Officers' Training Corps by virtue of previous military service or training and who are selected for admission to the

advanced course and execute the advanced course contract may begin the work of the advanced course in the freshman year, if permitted to do so by the institutional authorities. Otherwise, they may be granted an authorized period of nonattendance at Air Force Reserve Officers' Training Corps classes until the time they are permitted to begin the work of the advanced course. Students in this category will not receive commutation of subsistence, commutation of uniform, or uniforms in kind during authorized periods of nonattendance. The provisions of this paragraph apply both to students who have had active military service in the Army, Navy, Air Force, Marine Corps, or Coast Guard, and to those who have had previous training in the Army, Naval, or Air Force Reserve Officers' Training Corps.

[SEAL]

L. L. JUDGE,  
Colonel, U. S. Air Force,  
Air Adjutant General.

[F. R. Doc. 50-7320; Filed, Aug. 22, 1950;  
8:45 a. m.]

## TITLE 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

[S. O. 861]

#### PART 95—CAR SERVICE

##### DEMURRAGE ON CARS HELD UNDER LOAD AT GREAT LAKES PORTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of August A. D. 1950.

It appearing, that as the result of strikes on certain railroads serving Great Lakes ports and strike of certain dock workers at Great Lakes ports, a large number of cars of distressed coal, remnants of transshipment consignments, has accumulated which contributes to the present shortage of open top railroad cars; in the opinion of the Commission an emergency exists requiring immediate action at Great Lakes ports: It is ordered, that:

§ 95.861 *Demurrage on cars held under load at Great Lakes ports.* (a) Rule 6 of B. T. Jones' Tariff I. C. C. 4137, supplements thereto or reissues thereof, providing car demurrage rules and charges on coal and other carload freight as described therein, applying at ports, sidings or storage yards named therein, held for lake shipment or delivery to vessels, be, and it is hereby, suspended

to the extent provided in paragraph (b) of this section.

(b) On all loaded cars, constituting remnants of transshipment consignments, held at points described in the above tariff, over eight (8) days except as follows:

Lake coal, vessel fuel coal, coke, crushed stone, gravel, sand or other carload freight, when loaded in open top equipment reconsigned at the ports and storage yards named herein, for rail delivery, will be subject to the provisions of Rule 2 and Rule 3 from the first 7:00 a. m., after date on which notice of arrival was sent or given, as provided in Rule 3 (b) of this tariff to date and time reconsignment orders are received by this railroad.

(d) Application: The provisions of this section shall apply to intrastate, interstate and foreign commerce.

(e) Regulations suspended; announcement required: The operation of all rules and regulations insofar as they conflict with the provisions of this section is hereby suspended and each railroad subject to this section, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k)) of this chapter, announcing such suspension.

(f) Effective date: This section shall become effective at 7:00 a. m., August 18, 1950.

(g) Expiration date: This section shall expire at 7:00 a. m., September 18, 1950, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 49 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7330; Filed, Aug. 22, 1950;  
8:46 a. m.]

## PROPOSED RULE MAKING

## DEPARTMENT OF AGRICULTURE

Production and Marketing  
Administration

## [ 7 CFR, Part 51 ]

## BUNCHED BEETS

## UNITED STATES STANDARDS FOR GRADES

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Bunched Beets under the authority contained in Pub. Law 585, 81st Cong., approved June 29, 1950, and Pub. Law 627, 81st Cong., 2nd Sess., approved July 31, 1950, to supersede United States Standards for Bunched Beets issued August 9, 1927, and reissued September 3, 1946. The standards are proposed to become effective during October 1950.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with M. W. Baker, Assistant Director, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, South Building, Washington 25, D. C., not later than 5:30 p. m., e. s. t., on the 30th day after the publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

**§ 51.138 Standards for bunched beets—(a) Grades—**(1) U. S. No. 1. U. S. No. 1 consists of beets of similar varietal characteristics which are firm, fairly smooth, fairly well shaped, fairly clean, free from soft rot, and from damage caused by growth cracks, disease, rodents, insects or mechanical or other means.

(i) Bunches shall have tops which are fresh, and free from damage by any cause. The tops shall be either full size or cut back to not less than 6 inches.

(ii) Unless otherwise specified, the minimum diameter of the beets shall be 1½ inches and the maximum diameter shall be 3 inches.

(iii) In order to allow for variations incident to proper grading and handling, not more than 5 percent, by count, of the beets in any lot may be smaller than the specified minimum diameter and not more than 10 percent may be larger than the specified maximum diameter. In addition, when the tops are cut back, not more than 15 percent of the bunches may have tops less than 6 inches. In addition, not more than a total of 10 percent of the beet roots may fail to meet the remaining requirements of this grade, but not to exceed 5 percent shall be allowed for defects causing serious damage, including not more than 1 percent for beet roots affected by soft rot. (See Application of Tolerances.)

(b) *Unclassified.* Unclassified consists of bunched beets which have not been classified in accordance with the foregoing grade. The term "unclassified"

is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(c) *Application of tolerances.* (1) The contents of individual containers in the lot, based on sample inspection, are subject to the following limitations, provided the averages for the entire lot are within the tolerances specified:

(2) When a tolerance is 10 percent or more, individual containers in any lot shall have not more than one and one-half times the tolerance specified, except that at least one defective and one off-size specimen may be permitted in a container.

(3) When a tolerance is less than 10 percent, individual containers in any lot shall have not more than double the tolerance specified, except that at least one defective and one off-size specimen may be permitted in a container.

(d) *Size terms.* (1) The following terms are provided for describing the diameters of beets in any lot: Small means less than 2 inches; Medium means 2 to 3 inches inclusive; Large means over 3 inches.

(e) *Bunching.* (1) Bunches shall be fairly uniform size.

(f) *Definitions.* (1) "Firm" means that the beet is not soft, flabby, or shriveled.

(2) "Fairly smooth" means that the appearance of the beet is not more than slightly injured by roughness or by the presence of secondary rootlets. Very slight roughness over the crown or very slight pitting caused by the shedding of dead leaves shall not be considered as injury to the appearance.

(3) "Fairly well shaped" means that the beet is not misshapen to such an extent as to materially injure its appearance.

(4) "Fairly clean" means that individual beets are reasonably free from dirt, stain and other foreign matter and that the general appearance of the beets in the lot is not more than slightly affected by these causes.

(5) "Soft rot" means any soft, mushy or leaky condition of the tissue.

(6) "Damage" means any injury or defect which materially affects the appearance, or the edible or shipping quality of the individual beet, bunch or lot; or which cannot be removed without a loss of more than 5 percent of the total weight of the beet. Growth cracks which are not healed, and healed growth cracks which are not shallow and not smooth or which materially affect the appearance of the beet shall be considered as damage.

(7) "Tops which are fresh and free from damage by any cause" means that the tops are not badly wilted and that not more than 10 percent, by count, of the bunches in any lot may have any injury which materially affects the appearance of the tops. The appearance of individual bunches shall be consid-

ered materially affected when the tops are trimmed to the extent that only a few leaves or leafstems remain. The appearance of bunches with tops having a few slightly discolored leaves shall not be considered materially affected if the tops as a whole show a predominately normal color.

(8) "Full size" means that the tops have not been cut back, but dried or damaged leaves or leafstems may have been removed.

(9) "Diameter" means the greatest dimension taken at right angles to a straight line from the center of the crown to the base of the root.

(10) "Serious damage" means any injury or defect which seriously affects the appearance, or the edible or shipping quality of the individual beet, bunch, or lot; or which cannot be removed without a loss of more than 20 percent of the total weight of the beet.

Done at Washington, D. C. this 18th day of August 1950.

[SEAL] JOHN I. THOMPSON,  
Assistant Administrator, Pro-  
duction and Marketing Ad-  
ministration.

[F. R. Doc. 50-7344; Filed, Aug. 22, 1950;  
8:50 a. m.]

## [ 7 CFR, Part 920 ]

[Docket No. AO-221-RO1]

HANDLING OF IRISH POTATOES GROWN IN MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW HAMPSHIRE, AND VERMONT

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

## Correction

In Federal Register Document 50-7082, published at page 5395 in the issue for Tuesday, August 15, 1950, the following corrections should be made:

1. In the second paragraph of paragraph 3 (b) of the "Findings" (page 5396, third column, second paragraph), the 28th line should read, "merce the potatoes will be prepared as".

2. In the last paragraph of paragraph 5 (a) of the "Findings" (page 5399, third column) delete "and for the committee to discharge its obligations to the Secretary" the second time it appears in the first sentence.

3. In the second paragraph of paragraph 5 (d) of the "Findings" (page 5402, first column) in the eleventh line the word "ran" should be "run".

4. In § 920.95 of the order the head-note should read "Order with marketing agreement."

## DEPARTMENT OF LABOR

## Wage and Hour Division

[ 29 CFR, Ch. V, Part 676 ]

METAL, PLASTICS, MACHINERY, INSTRUMENT, TRANSPORTATION EQUIPMENT, AND ALLIED INDUSTRIES; AND SUGAR MANUFACTURING INDUSTRY

NOTICE OF HEARING ON THE MINIMUM WAGE RECOMMENDATIONS OF SPECIAL INDUSTRY COMMITTEE NO. 7 FOR PUERTO RICO

The Administrator of the Wage and Hour Division of the United States Department of Labor, acting pursuant to the Fair Labor Standards Act, as amended (52 Stat. 1060; 63 Stat. 910; 29 U. S. C. 201), on March 16, 1950, by Administrative Order No. 395, appointed Special Industry Committee No. 7 for Puerto Rico, composed of residents of Puerto Rico and of the United States outside of Puerto Rico, to investigate conditions in and to recommend minimum wage rates for employees engaged in commerce or in the production of goods for commerce in a number of industries in Puerto Rico specified in the order, including the Metal, Plastics, Machinery, Instrument, Transportation Equipment, and Allied Industries, and Sugar Manufacturing Industry.

The Committee included disinterested persons representing the public, a like number of persons representing employees in these industries, and a like number representing employers in these industries.

Special Industry Committee No. 7 for Puerto Rico has made separate minimum wage recommendations and has duly filed with the Administrator reports containing such recommendations, pursuant to section 8 (d) of the act and § 511.19 of the regulations issued under the act, for each of the aforementioned industries.

The Administrator is required under section 8 (d) of the act, after due notice to interested persons and giving them an opportunity to be heard, to approve and carry into effect by order each of the recommendations of Special Industry Committee No. 7 for Puerto Rico if he finds that the recommendations are made in accordance with law, are supported by the evidence adduced at the hearing and, taking into consideration the same factors as are required to be considered by the Industry Committee, will carry out the purposes of Section 8 of the Act; and, if he finds otherwise, to disapprove such recommendations.

Now, therefore, notice is hereby given that:

A. The separate minimum wage recommendations of Special Industry Committee No. 7 for employees engaged in commerce or in the production of goods for commerce in the above-named industries in Puerto Rico are as follows:

| Industry                                                                                     | Recommended minimum (cents an hour) |
|----------------------------------------------------------------------------------------------|-------------------------------------|
| 1. Metals, Plastics, Machinery, Instrument, Transportation Equipment, and Allied Industries: |                                     |
| (a) General Division.....                                                                    | 45                                  |
| (b) Heavy Products and Industrial Equipment Division.....                                    | 53                                  |
| (c) Decorations Division.....                                                                | 40                                  |
| 2. Sugar Manufacturing Industry....                                                          | 55                                  |

B. The definitions of the above-named industries in Puerto Rico (as set forth in Administrative Order No. 395) and of the separable divisions thereof, for which Special Industry Committee No. 7 for Puerto Rico has made the foregoing separate minimum wage recommendations are as follows:

*Metal, Plastics, Machinery, Instrument, Transportation Equipment, and Allied Industries.* The mining or other extraction of metal ore and the further processing of such ore into metal; the manufacture (including repair) of any product or part made wholly or chiefly of metal or plastics; and the manufacture (including repair) from any material of machinery, instruments, ophthalmic goods, tools, electrical goods, transportation equipment, and ordnance. "Provided, however, That the definition shall not include (1) the production of any basic material other than metal, (2) the further processing of any basic material other than metal or plastics except when done by an establishment producing from such materials a product of this industry or subassembly of such product, (3) the manufacture from plastic materials of fibers, yarns, and fabrics and the fabrication of products therefrom, (4) any sewing or similar fabricating operations performed upon pliable plastics in sheet or film form or any other operations incidental thereto, (5) the manufacture from pliable plastics in sheet or film form of articles also commonly produced from paper, such as bags, containers, cards, drinking straws, and similar articles, or (6) any activity included within the Button, Buckle, and Jewelry Industry, as defined in Administrative Order No. 389, or the Shoe Manufacturing and Allied Industries, as defined in the wage order for that industry.

This definition supersedes the definitions contained in any and all wage orders heretofore issued for other industries in Puerto Rico to the extent that such definitions include products or operations covered by the definition of this industry.

The Committee recommended that the Metal, Plastics, Machinery, Instrument, Transportation Equipment and Allied Industries in Puerto Rico as defined in Administrative Order No. 395, be divided into separable divisions for the purpose of fixing minimum wage rates, and that these separable divisions be defined as follows:

*General Division.* This division consists of all products and activities included in the Metal, Plastics, Machinery, Instrument, Transportation Equipment, and Allied Industries in Puerto Rico, as defined in Administrative Order No. 395, except those included in the Heavy Products and Industrial Equipment Division and the Decorations Division, as hereinafter defined.

*Heavy Products and Industrial Equipment Division.* This division consists of the mining or other extraction of metal ore and the further processing of such ore into metal; the production of pigs, ingots, plates, sheets, bars, rods, tubing, wire and other primary metal products; the galvanizing, coating, electroplating and plating of metal products; the fabrication of structural metal products; and the manufacture (including repair) of

foundry and machine-shop products, industrial, agricultural and commercial (except office) machinery and equipment, transportation equipment (except children's vehicles), and ordnance.

*Decorations Division.* This division consists of the manufacture of ornaments and decorations for Christmas and other holidays made wholly or chiefly of tinsel, metallic chenille, metallic foil, or other metal or plastic materials.

*Sugar Manufacturing Industry.* The production of raw sugar, cane juice, molasses and refined sugar, and incidental by-products and all railroad transportation activities carried on by a producer of any of these products (or by any firm owned or controlled by, or owning and controlling such producer, or by any firm owned or controlled by the parent company of such producer), where the railroad transportation activities are in whole or in part used for the production or shipment of the products of the industry, and any transportation activities by truck or other vehicle performed by a producer of the products of the industry in connection with the production or shipment of such products; provided, however, that the industry shall not include any activity covered by the wage orders for the Shipping Industry or the Railroad, Railway Express and Property Motor Transport Industry.

This definition supersedes the definitions contained in any and all wage orders heretofore issued for other industries in Puerto Rico to the extent that such definitions include products or operations covered by the definition of this industry.

C. The full texts of the reports and recommendations of Special Industry Committee No. 7 for Puerto Rico for each of the above industries will be available for inspection by any person between the hours of 9:00 a. m. and 4:30 p. m. at the following offices of the United States Department of Labor, Wage and Hour and Public Contracts Divisions:

Old South Building, 294 Washington Street, Boston 8, Mass.

1216 Widener Building, Chestnut and Juniper Streets, Philadelphia 7, Pa.

4237 Main Post Office, West Third and Prospect Avenue, Cleveland 13, Ohio.

Fidelity Building, 911 Walnut Street, Kansas City 6, Mo.

144 Federal Office Building, Fulton and Leavenworth Streets, San Francisco 2, Calif.

Fourteenth Street and Constitution Avenue, Washington 25, D. C.

Old Parcel Post Building, 341 Ninth Avenue, New York 1, N. Y.

1007 Comer Building, 2026 Second Avenue, North, Birmingham 3, Ala.

1230 Merchandise Mart Building, 222 West North Bank Drive, Chicago 54, Ill.

Room 222, 1114 Commerce Street, Dallas 2, Tex.

Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, P. R.

Copies of the Committee's Reports and recommendations may be obtained by any person upon request addressed to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., or the Wage and Hour Division, United States Department of Labor, Room 412, New York

Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico.

D. Public hearings will be held in Room 5406, United States Department of Labor Building, Washington 25, D. C., at 10:00 a. m., on the dates set forth below before the Administrator of the Wage and Hour Division, or a representative designated to preside in his place, for the purpose of taking evidence on the question of whether the separate recommendations of Special Industry Committee No. 7 for Puerto Rico set forth above shall be approved or disapproved.

September 19, 1950: Metals, Plastics, Machinery, Instrument, Transportation Equipment and Allied Industries.

September 20, 1950: Sugar Manufacturing Industry.

E. Any interested person supporting or opposing any of the recommendations of Special Industry Committee No. 7 for Puerto Rico which are set forth above may appear at any of the aforesaid hearings to offer evidence, either on his own behalf or on behalf of any other person; provided that not later than seven days preceding any hearing at which he intends to appear, such person shall file with the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., or at the office of the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico, notice of his intention to appear which shall contain the following information:

1. The name and address of the person appearing;
2. If such person is appearing in a representative capacity, the name and address of the person or persons whom he is representing;
3. The recommendation or recommendations of Special Industry Committee No. 7 for Puerto Rico in which he is interested and whether he proposes to appear for or against such recommendation or recommendations;
4. The approximate length of time requested for his presentation. Such notice may be mailed to the Administrator, Wage and Hour Division, United States Department of Labor, or to the Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico, and shall be deemed filed upon receipt.

F. Any person interested in supporting or opposing any of the above recommendations of Special Industry Committee No. 7 for Puerto Rico may secure further information concerning the aforesaid hearings by inquiry directed to the Administrator, Wage and Hour Division, United States Department of Labor, or to the Territorial Representative, Wage and Hour Division, United States Department of Labor, Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico, or by consulting with attorneys representing the Administrator who will be available at the Office of the Solicitor, United States Department of Labor, in Washington, D. C.

G. The records made at the public hearings on conditions in the above-named industries in Puerto Rico held before Special Industry Committee No. 7 in San Juan, Puerto Rico on April 28 and May 1-5, 1950, inclusive, may be examined by any interested person at the offices of the Wage and Hour Division, United States Department of Labor, at Fourteenth and Constitution Avenue, Washington 25, D. C., and Room 412, New York Department Store Building, Stop 16½, Ponce de Leon Avenue, Santurce, San Juan, Puerto Rico. The records of the public hearing before the Industry Committee with respect to each of the above-named industries in Puerto Rico will be offered in evidence at the appropriate public hearing before the Administrator or his representative on such industry.

H. The hearings will be conducted in accordance with the following rules, subject, however, to such subsequent modifications by the Presiding Officer (the Administrator or his authorized representative, as the case may be) as are deemed appropriate:

1. The hearing shall be stenographically reported and a transcript made which will be available to any person at prescribed rates upon request addressed to the Administrator, Wage and Hour Division, United States Department of Labor, Fourteenth and Constitution Avenue, N. W., Washington 25, D. C.

2. At the discretion of the Presiding Officer, the hearing may be continued from day to day or adjourned to a later date, or to a different place by announcement thereof at the hearing or by other appropriate notice.

3. At any stage of the hearing, the Presiding Officer may call for further evidence upon any matter. After the hearing has been closed, no further evidence shall be taken, except at the request of the Administrator, unless provision has been made at the hearing for the later receipt of such evidence. In the event that the Administrator shall cause the hearing to be reopened for the purpose of receiving further evidence, due and reasonable notice of the time and place fixed for such taking of testimony shall be given to all persons who have filed a notice of intention to appear at the hearing.

4. All evidence must be presented under oath or affirmation.

5. Except as otherwise permitted by the Presiding Officer, written documents or exhibits submitted personally at the hearing must be offered in evidence by a person who is prepared to testify as to the authenticity and trustworthiness thereof, and who shall, at the time of offering the documentary exhibit, make a brief statement as to the contents and manner of preparation thereof. Written, sworn statements may be filed any time prior to the date of the hearing by persons who cannot appear personally.

6. Written documents and exhibits shall be tendered in quadruplicate. When evidence is embraced in a document containing matter not intended to be put in evidence, such a document will not be received, but the person offering the same may present to the Presiding Officer the original document together

with two copies of those portions of the document intended to be put in evidence.

7. Subpoenas requiring the attendance of witnesses or the presentation of a document from any place in the United States at any designated place of hearing shall be issued by the Administrator upon request and upon a timely showing, in writing, of the general relevance and reasonable scope of the evidence sought. Any person appearing in the proceeding may apply for the issuance by the Administrator of the subpoena. Such application shall identify exactly the witness or document and state fully the nature of the evidence proposed to be secured.

8. Witnesses summoned by the Administrator shall be paid the same fees and mileage as are paid witnesses in the courts of the United States. Witness fees and mileage shall be paid by the party at whose instance witnesses appear and the Administrator, before issuing a subpoena, may require a deposit of an amount adequate to cover the fees and mileage involved.

9. The rules of evidence prevailing in courts of law or equity shall not be controlling. However, it shall be the policy to exclude irrelevant, immaterial, or unduly repetitious evidence.

10. The Presiding Officer shall, upon request, permit any person appearing in the proceeding to conduct such cross-examination of any witness offered by another person as may be required for a full and true disclosure of the facts, and to object to the admission or exclusion of evidence. Objections to the admission or exclusion of evidence shall be stated briefly with the reasons relied on. Such objections shall become a part of the records, but this record shall not include argument thereon except as ordered by the Presiding Officer.

11. Before the close of the hearing, written requests shall be received from persons appearing in the proceeding for permission to make oral arguments before the Administrator upon the matters in issue. If the Administrator, in his discretion, allows the request, he shall give such notice thereof as he deems suitable to all persons appearing in the proceeding and shall designate the time and place at which the oral arguments shall be heard. If such requests are allowed, all persons appearing at the hearing shall be given opportunity to present oral argument.

12. Briefs (4 copies) on particular questions may be submitted to the Administrator following the close of the hearing, by any persons appearing therein. Notice of the final dates for filing such briefs shall be given by the Administrator in such manner as shall be deemed suitable by him.

13. (a) Where the hearing is held before the Administrator, within fifteen (15) days after the close of the hearing, any interested person appearing at the hearing may submit for the consideration of the Administrator an original and four copies of a statement in writing containing proposed findings and conclusions, together with supporting reasons therefor.

(b) Where the hearing is held before a representative of the Administrator des-

Ignated to preside in his place, a complete record of the proceedings shall be certified to the Administrator upon the close of the hearing. The Administrator shall thereupon issue a tentative decision in the matter, which shall become a part of the record and include a statement of his findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record, and the appropriate order. Notice of the Administrator's tentative decision shall be published in the FEDERAL REGISTER.

(c) Within fifteen (15) days after such notice of the Administrator's tentative decision is published in the FED-

ERAL REGISTER, any interested person appearing at the hearing may file with the Administrator a statement in writing (original and four copies) setting forth any exceptions he may have to such decision, together with supporting reasons for such exceptions.

(d) After the expiration of the fifteen day periods referred to in paragraphs 13 (a) and (c) above, and after consideration of all relevant matter presented as provided in such paragraphs, the Administrator shall make his final decision in the matter, and shall issue an order approving or disapproving the recommendations of the industry committee. Such order shall be published in the FEDERAL REGISTER.

14. Any wage order issued as a result of hearings held hereunder shall take effect 30 days after due notice is given of the issuance thereof by publication in the FEDERAL REGISTER, or at such time prior thereto as may be provided therein upon good cause found and published therewith.

Signed at Washington, D. C., this 18th day of August 1950.

WM. R. McCOMB,  
Administrator,  
Wage and Hour Division.

[F. R. Doc. 50-7349; Filed, Aug. 22, 1950;  
8:47 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

[Misc. 13146]

IDAHO

#### ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

AUGUST 14, 1950.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g), the following described lands have been reconveyed to the United States:

BOISE MERIDIAN

T. 8 N., R. 3 E.,  
Sec. 14, S $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
SW $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22, NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 23, W $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ ,  
N $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 25;  
Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 5 S., R. 12 E.,  
Sec. 29, SE $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 10 S., R. 13 E.,  
Sec. 9, W $\frac{1}{2}$ SW $\frac{1}{4}$ .  
T. 7 S., R. 14 E.,  
Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 14, N $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 7 S., R. 17 E.,  
Sec. 10, S $\frac{1}{2}$ NW $\frac{1}{4}$ .  
T. 13 S., R. 17 E.,  
Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$ .  
T. 1 N., R. 18 E.,  
Sec. 20, NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 3 S., R. 18 E.,  
Sec. 9, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 4 S., R. 19 E.,  
Sec. 19, E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 32, SW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 7 S., R. 21 E.,  
Sec. 5, SW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 11 S., R. 21 E.,  
Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$ .  
T. 7 S., R. 22 E.,  
Sec. 24, NE $\frac{1}{4}$ .  
T. 6 S., R. 23 E.,  
Sec. 29, NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 7 S., R. 23 E.,  
Sec. 19, lots 3 and 4;  
Sec. 33, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ .  
T. 6 S., R. 24 E.,  
Sec. 33, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 34, W $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

T. 7 S., R. 24 E.,  
Sec. 29, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
Sec. 30, N $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 11 S., R. 26 E.,  
Sec. 4, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ .  
T. 3 N., R. 27 E.,  
Sec. 29, N $\frac{1}{2}$ S $\frac{1}{2}$ .  
T. 2 N., R. 28 E.,  
Sec. 11, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 2 N., R. 29 E.,  
Sec. 13, SE $\frac{1}{4}$ ;  
Sec. 24, NE $\frac{1}{4}$ ;  
Sec. 25, E $\frac{1}{2}$ ;  
Sec. 35, E $\frac{1}{2}$ .  
T. 2 S., R. 33 E.,  
Sec. 8, NW $\frac{1}{4}$ .  
T. 8 N., R. 35 E.,  
Sec. 1, lot 4;  
Sec. 2, lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$ .  
T. 2 N., R. 3 W.,  
Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$ .

The areas described aggregate 5,441.88 acres.

The lands are primarily suitable for grazing.

The NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  sec. 33, T. 7 S., R. 23 E., and the S $\frac{1}{2}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  sec. 29, T. 7 S., R. 24 E., are included in a first form reclamation withdrawal. No application under the public-land laws may be allowed without the approval of the Commissioner of the Bureau of Reclamation.

No applications for these lands may be allowed under the homestead, small tract, desert-land, or any other non-mineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject

only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like

proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land and Survey Office, Boise, Idaho, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land and Survey Office, Boise, Idaho.

WILLIAM ZIMMERMAN, JR.,  
Assistant Director.

[F. R. Doc. 50-7331; Filed, Aug. 22, 1950;  
8:47 a. m.]

[Misc. 52910]

#### OREGON

#### ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

AUGUST 16, 1950.

In an exchange of lands made under the provisions of section 8 of the act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976, 43 U. S. C. sec. 315g), the following described lands have been reconveyed to the United States:

#### WILLAMETTE MERIDIAN

T. 15 S., R. 13 E.,  
Sec. 36, NE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 17 S., R. 13 E.,  
Sec. 36, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ .  
T. 19 S., R. 14 E.,  
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 16 S., R. 15 E.,  
Sec. 10, SE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 18 S., R. 15 E.,  
Sec. 2, SW $\frac{1}{4}$ .  
Sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
Sec. 36, N $\frac{1}{2}$ .  
T. 18 S., R. 17 E.,  
Sec. 16, E $\frac{1}{2}$ , W $\frac{1}{2}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 22 S., R. 19 E.,  
Sec. 16, SE $\frac{1}{4}$ .  
T. 20 S., R. 22 E.,  
Sec. 16, SE $\frac{1}{4}$ .  
Sec. 21, N $\frac{1}{2}$ .  
T. 21 S., R. 23 E.,  
Sec. 28, S $\frac{1}{2}$ S $\frac{1}{2}$ .  
Sec. 30, SE $\frac{1}{4}$ .  
Sec. 33, E $\frac{1}{2}$ .  
Sec. 34, S $\frac{1}{2}$ .  
T. 33 S., R. 32 E.,  
Sec. 6, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ .  
Sec. 7, N $\frac{1}{2}$ NE $\frac{1}{4}$ .

The areas described aggregate 3,240 acres.

The lands are primarily suitable for grazing.

No applications for these lands may be allowed under the homestead, small

tract, desert-land, or any other nonmineral public-land laws, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, and selection as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to (1) application under the homestead or the desert-land laws or the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747 (43 U. S. C. 279-284), as amended, subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications under subdivision (1) of this paragraph shall be subject to applications and claims of the classes described in subdivision (2) of this paragraph. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to such application, petition, location, selection, or other appropriation by the public generally as may be authorized by the public-land laws. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated state-

ments in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the Land Office, Portland, Oregon, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations and Part 296 of that title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations, and applications under the desert-land laws and the said Small Tract Act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that title.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Portland, Oregon.

WILLIAM ZIMMERMAN, JR.,  
Assistant Director.

[F. R. Doc. 50-7332; Filed, Aug. 22, 1950;  
8:47 a. m.]

[Order No. 427]

#### REGIONAL ADMINISTRATORS DELEGATIONS OF AUTHORITY

AUGUST 16, 1950.

Delegations of authority to the regional administrators.

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#### PART 1—AUTHORITY IN GENERAL

**SECTION 1.1 Functions of the regional administrators and the acting regional administrators.** (a) Pursuant to the authority contained in Order No. 2583 of August 16, 1950, of the Secretary of the Interior, the regional administrators are hereby authorized to perform, in accordance with the existing policies of this Department, the functions of the Director, Bureau of Land Management, in their respective regions, as provided in Part 2 of this order. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any regional administrator affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

(b) The regional administrators may act for the Director in accordance with the applicable regulations and procedures in the classes of matters enumerated in this order, with respect to lands in their respective regions in any state in which there is no land office. Matters which are required by law or regulation to be filed only in a land office shall, with respect to such lands, be filed in the Bureau of Land Management, Washington 25, D. C. which will furnish the appropriate regional administrator with the current tract book status.

(c) Any regional administrator may, by written order, authorize any chief of division in his region, or the regional counsel for that region, to perform the functions of the regional administrator, in case of the death, resignation, absence, or sickness, of the regional administrator. A copy of each such order

shall be sent to the Director. No other employee may be designated by the regional administrator to serve as acting regional administrator, except with the prior approval of the Director.

(d) In the absence of an order of the regional administrator, the chief of division in the region or the regional counsel, who is the senior officer in his grade in point of time of service in that grade will perform the functions of the regional administrator in case of the death, resignation, absence, or sickness, of the regional administrator; and in the event the employee who is the senior officer in the grade, as indicated, is not available, the functions of the regional administrator, under the conditions mentioned will be performed by the employee who is the next senior officer in the grade.

(e) Any officer serving as acting regional administrator under the authority granted by an order of the regional administrator, or paragraph (d) of this section, shall notify the Director of the beginning and the termination of the period of the service.

**Sec. 1.2 Limitations.** In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

- (a) The issuance of regulations.  
(b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.  
(c) The issuance of public-land orders.  
(d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise; or

(e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

(f) The issuance of patents.

**Sec. 1.4 Authority to designate employees to perform the functions of acting managers.** (c) The regional administrator of any region may authorize any qualified employee of the Bureau of Land Management in his region to perform the functions of the manager of a district land and survey office in his region in case of the death, resignation, absence, or sickness of the manager. However, such employee shall not decide or dispose of a contest or protest. He may not perform the functions of a manager until he has filed a bond in such penal sum as the regional administrator may fix and the bond has been accepted by the regional administrator. Each employee authorized to act under this section shall sign all documents and other papers under his pay roll title and act as manager.

(d) An employee who is authorized to perform the functions of the manager shall sign documents and other papers as "Acting Manager." No employee, however, shall perform such functions until he has filed a bond in such penal sum as may be fixed and the bond has been accepted. Each employee who serves in this capacity shall by memorandum advise the regional administrator of the beginning and termination of the period

of the service. Copies of such memorandum shall be sent to the Director.

**Sec. 1.5 Redlegation.** (a) Each regional administrator may redelegate or authorize the redelegation of any authority vested in him by this order to any qualified employee in his region, except as to the authority to appoint acting regional administrators.

(b) Any order of redelegation or authorization pursuant to this section must be approved by the Secretary of the Interior and published in the *FEDERAL REGISTER*.

#### PART 2—AUTHORITY IN SPECIFIED MATTERS

The regional administrators, subject to the provisions of Part 1 of this order, are hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

#### GENERAL

**Sec. 2.2 Bonds.** Bonds filed in connection with matters pertaining to the public lands or the resources thereof, or other lands or resources under the jurisdiction of the Bureau of Land Management where the regional administrator has authority under any section of this order to act in such matters.

**Sec. 2.3 Cancellations or surrenders of contracts, leases, and permits.** Partial or complete cancellations or surrenders of contracts, leases, and permits of the classes which may be acted upon by the regional administrators.

**Sec. 2.4 Contributions and refunds.** Accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U. S. C. 315h).

**Sec. 2.5 Copies of records.** Copies of official records, pursuant to 43 CFR, Parts 2 and 240.

**Sec. 2.7 Fire-protection contracts.** Contracts with State, county, municipal, and private fire-control organizations for the protection from fire (prevention, suppression, and suppression) of the public domain, including the reconstituted Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon.

**Sec. 2.8 Gifts.** Accept on behalf of the United States any lands within or without a grazing district as a gift, where such action will promote the purpose of the district or facilitate the administration of the public lands, pursuant to section 8a of the Taylor Grazing Act, as amended (43 U. S. C. 315g).

**Sec. 2.9 Government contests.** The initiation of Government contests against claims asserted to public lands, and all necessary actions involving the prosecution of such contests.

**Sec. 2.11 Repayment.** Applications for repayment under 43 CFR Part 217.

**Sec. 2.13 Roads.** Matters involving the acquisition of rights-of-way for access roads on the reconstituted Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in

Oregon, and of existing connecting roads adjacent to such lands, including purchases after clearance with the Department of Justice but not including recommendations to the Attorney General for condemnation proceedings.

**Sec. 2.14 Surveys.** (a) Appointment of mineral surveyors pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39) with authority to execute mineral surveys within all states of the region in which appointed, and in adjoining states, appointments of deputy surveyors for special surveys in Alaska pursuant to 43 CFR 61.14, 64.5, 65.21, and 81.8, and the approval and acceptance of their bonds; preparation of supplemental plats for acceptance by the Director; initiation of action in all classes of survey and resurvey of the public lands by submission to the Director of the technical special instructions providing for the execution of such surveys and resurveys, accompanied by a copy of the application or request therefor, or a full showing of the administrative needs of the Bureau of Land Management in the matter. Approval by the Director of the technical special instructions for the execution of the work shall constitute formal authorization for the survey or resurvey, but field work in connection therewith shall not be undertaken until such special instructions have been approved.

(b) The preparation and publication in the FEDERAL REGISTER of notices of the official filing of approved plats of survey and resurvey.

**Sec. 2.15 Trespass.** Determination of liability and acceptance of payment of damages for trespass on the public lands, and the disposal of resources recovered in trespass cases for not less than the appraised value thereof; also recommendations to the United States Attorney for (a) the institution of suits arising out of trespasses, where the money judgment sought is not in excess of \$1,000, and (b) the compromise of such suits where the amount is not in excess of \$500.

#### CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

**Sec. 2.21 Classification of lands.** The classification of public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the regional administrators are empowered to authorize.

**Sec. 2.22 Orders of withdrawal and restoration.** (a) Issue orders of the classes listed below withdrawing or reserving public lands, or restoring such lands from withdrawal or reservation, based on the following statutory powers of the Secretary:

(1) Stock-driveways, authorized by section 10 of the act of December 29, 1916, as amended (43 U. S. C. 300);

(2) Air-navigation facilities, under section 4 of the act of May 24, 1928 (49 U. S. C. 214);

(3) Waiver of the restrictions as to length of claims and restoration of reserved shore spaces in Alaska, under the act of June 5, 1920 (48 U. S. C. 372);

(4) Restorations under section 24 of the Federal Power Act, as amended (16 U. S. C. 818); and

(5) Opening reclamation lands to location and entry under the general mining laws, in accordance with the act of April 23, 1932 (43 U. S. C. 154).

(b) All orders issued pursuant to the authority contained in this section shall conform to such procedures as have been or may be prescribed by law, or by the Secretary of the Interior, with respect to public notice, and shall be submitted to the Division of the Federal Register, National Archives and Records Service, General Services Administration for filing and publication.

#### MINERAL

**Sec. 2.31 Oil and gas leases.** (a) Oil and gas leases under sections 17 and 20 of the act of February 25, 1920 (30 U. S. C. 226), as amended and supplemented, except those issued competitively under section 17, and those on which a discovery has been made or which are committed to a unit agreement under which a discovery has been made.

(b) Oil and gas leases under the act of August 7, 1947 (30 U. S. C. Supp. III, 351-359), after such leases have been issued by the Washington office, with the exceptions specified in paragraph (a) of this section.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production. Neither shall it include any function relating to the grant, approval, or termination of the waiver, suspension, or reduction of rental or minimum royalty, the reduction of royalty, or the suspension of operations or production.

**Sec. 2.32 Coal permits and licenses, and coal leases based on discoveries under permits.** (a) Coal prospecting permits and licenses under the act of February 25, 1920 (30 U. S. C. 201, 202-208) and coal prospecting permits and coal free-use permits, in Alaska, under the act of October 20, 1914, as amended (48 U. S. C. 432-445, 446-452).

(b) Coal leases, based upon discoveries under such coal prospecting permits.

(c) The authority delegated by this section shall not include any function relating to the grant, approval or termination of the waiver, suspension, or reduction of rental or minimum royalty the reduction of royalty, or the suspension of operations and production under a lease.

**Sec. 2.45 Mining claims.** Mining claim matters under 43 CFR Parts 185 and 69, except the approval of entries for patenting.

#### NONMINERAL MATTERS, EXCEPT RANGE MANAGEMENT AND TIMBER

**Sec. 2.51 Airports.** (a) Leases of public lands for public airports, under

the act of May 24, 1928 (49 U. S. C. 211-214).

(b) All actions under the Federal Airport Act (49 U. S. C. 1101), up to the issuance of patents.

**Sec. 2.52 Alaska, fur farms.** Leases of public lands in Alaska for fur farms, under the act of July 3, 1926 (48 U. S. C. 360, 361).

**Sec. 2.53 Alaska, homesites or headquarters.** Homesites or headquarters in Alaska, pursuant to 43 CFR Part 64.

**Sec. 2.54 Alaska Housing Authority.** Transfer to the Alaska Housing Authority of lands above high water mark and under the jurisdiction of the Department of the Interior, pursuant to section 6 of the Alaska Housing Act of April 23, 1949 (48 U. S. C. 484c).

**Sec. 2.55 Alaska, Matanuska Valley.** Disposal of lands in the Matanuska Valley, Alaska, under the act of October 17, 1940 (48 U. S. C. 353 note).

**Sec. 2.57 Alaska, trade and manufacturing sites.** Trade and manufacturing sites in Alaska, pursuant to 43 CFR Part 81.

**Sec. 2.61 Cemetery sites.** Cemetery sites, including such sites in Alaska, pursuant to 43 CFR Parts 72 and 253.

**Sec. 2.62 Color-of-title and riparian claims.** Color of title and riparian claims, under 43 CFR Parts 140 and 141.

**Sec. 2.63 Exchanges.** Exchanges under 43 CFR Part 146 and §§ 149.35 to 149.43, inclusive, and under Part 115, where the value of the selected lands does not exceed \$50,000; also exchanges under section 2 of the act of August 13, 1949 (63 Stat. 604).

**Sec. 2.64 Homesteads.** Homesteads, including homesteads in Alaska, pursuant to 43 CFR Parts 166 to 170, inclusive, and 65 and 66.

**Sec. 2.65 Indian allotments.** Indian allotments, including such allotments in Alaska, pursuant to 43 CFR Parts 176 and 67.

**Sec. 2.66 Material other than timber.** Sale of materials other than timber of an appraised value not to exceed \$20,000, and the free use of materials other than timber, under 43 CFR Part 259.

**Sec. 2.67 Mineral or medicinal springs.** Leases of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U. S. C. 971).

**Sec. 2.68 Motion or sound pictures.** Permission to film motion or sound pictures with respect to areas under the jurisdiction of the Bureau of Land Management, in accordance with 43 CFR Part 5.

**Sec. 2.70 Public sales.** Public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law.

**Sec. 2.71 Reclamation and irrigation.** Reclamation and desert land entries, State irrigation districts and Nevada underground-water permits and entries, pursuant to 43 CFR Parts 230 to 234, inclusive.

**Sec. 2.72 Rights-of-way.** (a) Rights-of-way permits and easements over public and acquired lands, including re-vested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and over reservations other than Indian reservations, when authorized by law.

(b) Approval of construction in advance of the issuance of a permit or the granting of an easement.

(c) Actions involving lands within national parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the Bureau or agency administering the reservation has been obtained.

**Sec. 2.73 Small tracts.** Small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

**Sec. 2.74 Special land-use permits.** (a) Special land-use permits for public lands, pursuant to 43 CFR Part 258.

(b) Special land-use permits for re-vested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon pursuant to 43 CFR 115.150.

(d) Permits to use areas below the high-water mark of navigable waters in Alaska for occupancy purposes, under the principles embodied in 43 CFR Part 258, subject to rules, regulations, and requirements of the Department of the Army respecting the navigation of such streams.

(e) Landing and wharf permits on reserved shore space in Alaska, pursuant to 43 CFR Part 68.

(f) Every such permit issued to a Federal agency or to a State agency or political subdivision shall be restricted to the smallest area needed for the proposed use. Not more than 50,000 acres may be included in such a permit, and no such permit may be issued under this authority where a withdrawal of a class which the regional administrators are not authorized to make is requested.

**Sec. 2.77 Surface rights.** Nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geological structure of a field, in accordance with 43 CFR Parts 102 and 66.

**Sec. 2.78 Town sites.** Lots in Government town sites, and other town-site matters when authorized by law (reclamation town-site matters to be handled jointly with the Director, Bureau of Reclamation, pursuant to 43 CFR 255.42 to 255.45, inclusive, and 255.47), except the issuance of orders withdrawing public lands for town-site purposes, and Oklahoma town-site matters under 43 CFR 255.49 to 255.51, inclusive.

**Sec. 2.79 Water wells.** Water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U. S. C. 299a), and 30 CFR 241.6.

## RANGE MANAGEMENT

**Sec. 2.91 Grazing district administration.** Range management matters pertaining to the administration of grazing districts pursuant to the act of June 28, 1934, as amended and supplemented (43 U. S. C. 315 et seq., 16 U. S. C. 715i) and 43 CFR Parts 161, 163, and 165, as follows:

(a) Licenses or permits to graze or trail livestock in grazing districts.

(b) Cooperative agreements under: (1) Section 2 of the act (43 U. S. C. 315a) with respect to erosion and flood control, and range studies and experiments;

(2) Section 9 of the act (43 U. S. C. 315k) with associations, State agencies, or Federal agencies for the conservation or propagation of wildlife; and

(3) Section 12 of the act (43 U. S. C. 315k) with any department of the Government to coordinate range administration.

(c) Permits or cooperative agreements to construct and maintain range improvements and determine the value of such improvements.

(d) The expenditure of funds appropriated by the Congress, or contributed by individuals, associations, advisory boards, or others, for the construction, purchase or maintenance of range improvements.

(e) Leases under the Pierce Act (43 U. S. C. 315m-1 to 315m-4 inclusive).

(f) Require field employees to furnish horses and miscellaneous equipment necessary for the performance of their official duties, pursuant to the act of December 18, 1942 (43 U. S. C. 315o-2), and make payments in connection therewith as authorized by that act.

**Sec. 2.92 Grazing leases, etc.** (a) Grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m) and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

(b) Grazing leases of the re-vested Oregon and California railroad and the reconveyed Coos Bay wagon road grant lands in Oregon, and crossing permits for such lands, in accordance with 43 CFR Part 115.

(c) Grazing leases of public lands in Alaska, under the act of March 4, 1927 (43 U. S. C. 471, 471a-471c).

**Sec. 2.93 Appropriation of water under State laws.** Execution and filing in the name of the United States of applications to appropriate water under State laws, where required in connection with stock-watering projects, and procurement of easements or rights-of-way upon or over private lands, where improvements are erected.

**Sec. 2.94 Soil and moisture conservation.** Soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U. S. C. 590a et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

**Sec. 2.95 Controlled brush burning.** Issuance of permits for the controlled

burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, in accordance with plans and specifications approved by the Director.

## TIMBER

**Sec. 2.121 Disposition of timber.** (a) Sale of timber of an estimated stumpage volume of not to exceed 15,000,000 feet, board measure, and the free use of timber on lands under the jurisdiction of the Bureau of Land Management, including the re-vested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon.

(b) Sales of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

**Sec. 2.122 Hearing in connection with sustained-yield forest units.** Scheduling and holding of public hearings on master forest units and their appurtenant marketing areas, and on sustained-yield forest units and cooperative agreements for sustained-yield forest units comprising re-vested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and lands in private ownership, or controlled by other public agencies under authority of the act of August 28, 1937 (50 Stat. 874), and 16 U. S. C. 583, 583a-583i. The notice may designate any qualified employee in the region to hold the hearing.

**Sec. 2.123 Cutting of timber on certain mining claims in Oregon.** Applications from owners of mining claims located since August 28, 1937, on the re-vested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, to cut and use so much of the timber on the mining claims as is necessary in the development and operation of the mines, until such time as the timber is otherwise disposed of by the United States, pursuant to the act of April 8, 1948 (62 Stat. 162).

**Sec. 2.124 Timber patents.** Extension of time in which to cut timber under timber patents on the re-vested and reconveyed land in Oregon, under the act of May 19, 1930 (46 Stat. 369) and the termination of rights under timber patents under the act of June 9, 1916 (39 Stat. 218).

## PART 3—APPEALS

**SECTION 3.1 Right of appeal.** Any person aggrieved by the action of any regional administrator may appeal to the Director, Bureau of Land Management, and from his decision to the Secretary of the Interior, pursuant to the rules of practice (43 CFR Part 221).

## PART 4—EFFECT ON PRIOR ORDERS

**SECTION 4.1 Revocations.** Orders Nos. 274, 295, 301, 319, 331, 336, 337, 345, 346, 348, 355, 363, 370, 411, and 417 are hereby revoked, to the extent that those orders authorized the regional administrators to perform certain functions relating to the public lands.

**Sec. 4.2 Saving clause.** Subdelegations of authority to the managers of the district land offices, and to any employees

other than the regional administrators which have heretofore been made, and which are in force on the effective date of this order, shall remain in force until revoked or superseded by delegations made under this order.

MARION CLAWSON,  
Director.

Approved: August 16, 1950.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

[F. R. Doc. 50-7321; Filed, Aug. 22, 1950;  
8:45 a. m.]

[Order No. 428]

#### DIVISION OF ADJUDICATION

#### DELEGATIONS OF AUTHORITY TO CHIEF, AND CHIEFS OF SUBDIVISIONS OF THAT DIVISION

AUGUST 16, 1950.

Delegations of authority to the Chief, Division of Adjudication and Chiefs of the Divisions.

#### AUTHORITY IN GENERAL

- Sec.
1. Functions of the Chief, Division of Adjudication, and chiefs of subdivisions of that Division.
  2. Limitations.

#### NONMINERAL MATTERS

3. Applications for patented or reserved lands.
6. Cash and credit system entries.
7. Closing of cases.
8. Confined private land claims.
9. Copies of records.
10. Decisions in specified cases.
11. Erroneously included lands in leases and permits.
12. Extensions of time.
13. Patents.

#### MINERALS

20. Oil and gas noncompetitive leases.
21. Sodium permits.
22. Sulphur permits.
23. Potassium permits.

#### APPEALS

31. Appeals.

#### EFFECT ON PRIOR ORDERS

36. Revocations.

#### AUTHORITY IN GENERAL

SECTION 1. *Functions of the Chief, Division of Adjudication, and chiefs of subdivisions of that Division.* The Chief, Division of Adjudication, and chiefs of subdivisions of that Division, are authorized to perform, in accordance with the existing policies of this Department, the functions of the Director, as provided in this order. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by any such chief affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

SEC. 2. *Limitations.* The authority delegated by this order does not include any authority reserved to the Secretary of the Interior by Order No. 2583 of August 16, 1950 of the Secretary. No action shall be taken involving a new or novel question of law or a commitment not previously authorized.

#### NONMINERAL MATTERS

SEC. 5. *Applications for patented or reserved lands.* Applications for patented or reserved lands, not subject to disposal under the applications.

SEC. 6. *Cash and credit system entries.* Old cash and credit entries, where full payment has been made.

SEC. 7. *Closing of cases.* Closing of cases, where proper, pursuant to Bureau or departmental decisions.

SEC. 8. *Confirmed private land claims.* Issue orders for patents, in proper cases, for confirmed private land claims, based on application therefor.

SEC. 9. *Copies of records.* Copies and exemplifications of patents, plats and other records of the Bureau.

SEC. 10. *Decisions in specified cases.* Decisions rejecting applications or requiring additional evidence, in the following classes of cases:

- (a) Amendment of patents
- (b) Drainage cases
- (c) Forest exchanges, other than title matters
- (d) Forest lieu selections
- (e) Quitclaim deeds
- (f) Scrip
- (g) Small holding claims
- (h) Soldiers' additional entries; and
- (i) Timber and stone entries

SEC. 11. *Erroneously-included lands in leases and permits.* Eliminate from leases and permits of all types lands which, having been previously disposed of, or having been subject to a withdrawal or reservation, were erroneously included.

SEC. 12. *Extensions of time.* Applications for extensions of time within which to meet requirements made by decisions of the Bureau, except in timber, material and grazing district appeal cases.

SEC. 13. *Patents.* (a) Patents for grants of land under authority of the Government, to be issued in the name of the United States, other than patents or other conveyances which require the approval of signature of the President. Patents may be signed for the Director by the Chief of the Patents Section of the Bureau, and, in his absence, by the Acting Chief of the Section.

(b) Orders for new and perfect patents, in lieu of patents imperfect as to signature.

SEC. 20. *Oil and gas noncompetitive leases.* Noncompetitive leases for oil and gas in acquired lands, pursuant to 43 CFR Part 200. All decisions signed by the Chief, Branch of Minerals, prior to the date of this order, involving any permits or leases under 43 CFR Part 200, are hereby confirmed.

SEC. 21. *Sodium permits.* Sodium permits under section 23 of the act of February 25, 1920 (30 U. S. C. 261), as amended, and sodium permits in acquired lands, pursuant to 43 CFR Part 200.

SEC. 22. *Sulphur permits.* Sulphur permits under the act of April 17, 1926 (30 U. S. C. 271), as amended, and sulphur permits in acquired lands, pursuant to 43 CFR Part 200.

SEC. 23. *Potassium permits.* Potassium permits under the act of February 7, 1927 (30 U. S. C. 281-285), as amended, and potassium permits in acquired lands, pursuant to 43 CFR Part 200, except recommendations to the Secretary of the Interior for the approval of such permits.

#### APPEALS

SEC. 31. *Appeals.* All actions taken pursuant to this order will be subject to appeal to the Secretary of the Interior, pursuant to the Rules of Practice (43 CFR Part 221).

#### EFFECT ON PRIOR ORDERS

SEC. 36. *Revocations.* This order supersedes delegations of authority made by the following orders, which are hereby revoked: Order No. 307, May 6, 1948, Order No. 314, June 24, 1948, Order No. 318, July 16, 1948, Order No. 340, September 24, 1948, and Order No. 379, March 31, 1949.

MARION CLAWSON,  
Director.

Approved: August 16, 1950.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

[F. R. Doc. 50-7322; Filed, Aug. 22, 1950;  
8:45 a. m.]

#### Office of the Secretary

[Order No. 2583]

#### BUREAU OF LAND MANAGEMENT

#### DELEGATION OF AUTHORITY IN CONNECTION WITH LANDS AND RESOURCES

AUGUST 16, 1950.

Delegation of authority in connection with lands and resources; Bureau of Land Management:

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## PART 1—AUTHORITY IN GENERAL

**SECTION 1.1 Functions of the Director, Associate Director, and Assistant Director.** (a) The Director, Bureau of Land Management, shall perform through such officers or organizational units of the Bureau as he may designate, all functions which, prior to July 16, 1946, were performed by officers or employees of the former General Land Office or Grazing Service.

(b) The Director shall also perform, in accordance with the existing regulations and procedures, the functions specified in Part 2 of this order. This shall include all types of actions in the matters listed, unless otherwise provided. No action shall be taken by the Director affecting the lands or activities of any other agency in this Department, or other Federal agency, until the matter has been cleared with that agency.

(c) The Associate and Assistant Directors of the Bureau under the supervision of the Director may exercise all of the powers and authority of the Director.

**SEC. 1.2 Limitations.** In addition to limitations on authority in specified matters, set forth in particular sections, the authority delegated by this order shall not include:

- (a) The issuance of regulations.  
 (b) Any function which has been or may be delegated to the head, or other official, of any other agency of this Department.  
 (c) The issuance of public-land orders.  
 (d) The exercise of the supervisory powers of the Secretary, whether by way of appeal to the Secretary or otherwise; or  
 (e) Any action to be taken with the approval or concurrence of the President, or the head of any department or independent agency of the Government.

**SEC. 1.3 Functions of the regional administrators, and acting regional administrators.** (a) The regional administrators of the Bureau of Land Management shall have immediate supervision over the work of the land offices, land and survey offices, and all other field offices in their respective regions.

(b) All authority which, prior to July 16, 1946, was vested in the regional field examiners and the regional cadastral engineers of the former General Land Office and the regional graziers of the former Grazing Service shall be exercised by the regional administrators.

(c) The Director may authorize any qualified employee of the Bureau to perform the functions of a regional administrator, in case of a vacancy in that office or in case of the absence or sickness of a regional administrator.

**SEC. 1.4 Functions of the managers, assistant managers, and acting managers.** (a) Each of the land offices or the land and survey offices shall be administered by a manager who shall, under the general supervision of the Director and the immediate supervision of the regional administrator, perform the functions which, prior to July 16, 1946, were performed by the register, and such additional functions as may be delegated to him.

(b) An assistant manager may be appointed, when needed, to perform, under the supervision of the manager, such functions as may be specified by the Director, and to perform the functions of the manager in case of a vacancy in that office or in case of the absence or sickness of the manager.

(c) The Director may authorize any qualified employee of the Bureau to perform

the functions of the manager, in case of a vacancy in that office or in case of the absence or sickness of the manager or assistant manager.

(d) An employee who is authorized to perform the functions of the manager shall sign documents and other papers as "Acting Manager." No employee, however, shall perform such functions until he has filed a bond in such penal sum as may be fixed and the bond has been accepted. Each employee who serves in this capacity shall by memorandum advise the regional administrator of the beginning and termination of the period of the service. Copies of such memorandum shall be sent to the Director.

**SEC. 1.5 Redelegations.** (a) The Director may, by an order to be published in the FEDERAL REGISTER, redelegate or authorize the delegation of any authority vested in him by this order to any qualified officer or employee of his bureau in Washington or in the field.

(b) Any order of redelegation or authorization pursuant to this section must be approved by the Secretary of the Interior and published in the FEDERAL REGISTER.

## PART 2—AUTHORITY IN SPECIFIED MATTERS

The Director, subject to the provisions of Part 1 of this order, is hereby authorized to take all actions, except as otherwise hereinafter provided, with respect to the following matters:

## GENERAL

**SEC. 2.1 Amendment and confirmation of entries.** Amendment and confirmation of entries, pursuant to 43 CFR Parts 104 and 107.

**SEC. 2.2 Bonds.** Bonds required in connection with matters pertaining to the public lands or the resources thereof, or other lands or resources under the jurisdiction of the Bureau of Land Management.

**SEC. 2.3 Cancellations or surrenders of contracts, leases, and permits.** Partial or complete cancellations or surrenders of contracts, leases, and permits of all types administered by the Bureau of Land Management.

**SEC. 2.4 Contributions and refunds.** Accept contributions toward the administration, protection, and improvement of lands within or without grazing districts, and remit or refund any unexpended balances of such contributions, pursuant to section 9 of the Taylor Grazing Act (43 U. S. C. 315h).

**SEC. 2.5 Copies of records.** Copies and exemplifications of patents, plats, and other records of the Bureau.

**SEC. 2.6 Enforcement and other actions in connection with certain public parks and other areas.** (a) Determine and enforce compliance with the provisions of any instrument of transfer and take other actions necessary, pursuant to the provisions of section 203 (k) (2) of the Federal Property and Administrative Services Act of 1949 with respect to property transferred pursuant to the Surplus Property Act of 1944, as amended and extended (50 U. S. C., Sup. III, App.

1622 (h)) to states, political subdivisions and instrumentalities thereof, and municipalities, for use as a public park, public recreational area, or historic monument for the benefit of the public.

(b) The Bureau of Land Management will make formal determinations and issue the instruments necessary to accomplish the desired results, but such actions will be based upon reports to be obtained from the National Park Service which will furnish that bureau technical advice concerning compliance and other matters requiring action under the provisions mentioned.

**SEC. 2.7 Fire-protection contracts.** Contracts with Federal, State, county, municipal, and private fire-control organizations for the protection from fire (prevention, suppression, and suppression) of the public domain, including the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon.

**SEC. 2.8 Gifts.** Accept on behalf of the United States any lands within or without a grazing district as a gift, where such action will promote the purposes of the district or facilitate the administration of the public lands, pursuant to section 8a of the Taylor Grazing Act, as amended (43 U. S. C. 315g).

**SEC. 2.9 Government contests.** The initiation of Government contests against claims asserted to public lands, and all necessary actions involving the prosecution of such contests.

**SEC. 2.10 Patents.** Patents for grants of land under authority of the Government, to be issued in the name of the United States, other than patents or other conveyances which require the approval or signature of the President.

**SEC. 2.11 Repayment.** Applications for repayment under 43 CFR Part 217.

**SEC. 2.12 Reports and certifications in connection with Federal land highway projects.** Reports and certifications as to public lands, in connection with Federal land highway projects, required by the act of June 24, 1930 (23 U. S. C. 3).

**SEC. 2.13 Roads.** Matters involving the acquisition of rights-of-way for access roads on the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, and of existing connecting roads adjacent to such lands, including purchases after clearance with the Department of Justice but not including recommendations to the Attorney General for condemnation proceedings.

**SEC. 2.14 Surveys.** All functions pertaining to the survey and resurvey of the public lands pursuant to section 453 of the Revised Statutes (43 U. S. C. 2), including the appointment of mineral surveyors and the approval and acceptance of their bonds, pursuant to section 2334 of the Revised Statutes (30 U. S. C. 39).

**SEC. 2.15 Trespass.** Determination of liability and acceptance of payment of damages for trespass on the public lands, and the disposal of resources recovered in trespass cases for not less than the appraised value thereof; also recommendations to the United States

Attorney for (a) the institution of suits arising out of trespasses where the money judgment sought is not in excess of \$1,000, and (b) the compromise of such suits where the amount is not in excess of \$500.

#### CLASSIFICATIONS, WITHDRAWALS, AND RESTORATIONS

**SEC. 2.21 Classification of lands.** The classification of public lands under section 7 of the Taylor Grazing Act of June 28, 1934, as amended (43 U. S. C. 315f), or pursuant to other laws, as being suitable for any type of use or disposition which the Director is empowered to authorize.

**SEC. 2.22 Orders of withdrawal and restoration.** (a) Except as otherwise provided in this section, issue orders of withdrawal or reservation under the statutory powers of the Secretary of the Interior, to the same extent that the lands might be withdrawn or reserved by the Secretary, and to the same extent, modify or revoke withdrawals or reservations of such lands.

(b) No order affecting lands under the administrative jurisdiction of any department or agency other than the Bureau of Land Management shall be issued by the Director without the prior concurrence of the head of the department or agency concerned.

(c) Withdrawals for reclamation and other purposes for administration by the Bureau of Reclamation, and the modification or revocation of such withdrawals shall be made in accordance with Order No. 2515 of April 17, 1949.

(d) The authority granted by this section shall extend to the waiver of the 160-rod restriction as to the length of claims along the shores of navigable waters in Alaska, as well as the restoration to entry and disposition of the reserved shore spaces, in Alaska.

(e) All orders issued pursuant to the authority contained in this section shall conform to such procedures as have been or may be prescribed by law, or by the Secretary of the Interior, with respect to public notice, and shall be submitted to the Division of the Federal Register, National Archives and Records Service, General Services Administration, for filing and publication.

**SEC. 2.23 Correspondence concerning the revocation of public-land withdrawals.** The signing of correspondence, including letters to the Director, Bureau of the Budget and to the Attorney General concerning the revocation of public-land withdrawals.

#### MINERALS

**SEC. 2.31 Oil and gas leases.** (a) Oil and gas leases pursuant to the act of February 25, 1920 (30 U. S. C. 221 et seq.), as amended and supplemented, the act of August 7, 1947 (30 U. S. C., Supp. III, 351-359), and the act of May 21, 1930 (30 U. S. C. 301-305).

(b) Leases of oil and gas deposits transferred to this Department for measures to protect the deposits from drainage.

(c) The authority delegated by this section shall not include any function pertaining to oil and gas deposits that involve approval or execution of unit or

cooperative agreements, communitization agreements, subsurface storage agreements, operating, drilling, or development contracts without regard to acreage limitations, or the sale of royalty oil taken in amount of production.

**SEC. 2.32 Coal permits, leases, and licenses; asphalt leases.** (a) Coal permits, leases, and licenses under sections 2 to 8 inclusive of the act of February 25, 1920 (30 U. S. C. 201-208), as amended and supplemented, including coal permits and leases under the act of August 7, 1947 (30 U. S. C., Supp. III, 351-359), and coal permits and leases and asphalt leases under the acts of June 28, 1944 (58 Stat. 483-485), June 24, 1948 (62 Stat. 596), and May 24, 1949 (63 Stat. 76).

(b) In Alaska, coal permits under the act of March 4, 1921 (48 U. S. C. 444), and coal leases and permits for the free use of coal under the act of October 20, 1914 (48 U. S. C. 432-445 and 446-452).

**SEC. 2.33 Oil shale leases.** Oil shale leases under section 21 of the act of February 25, 1920 (30 U. S. C. 241) and under the act of August 7, 1947 (30 U. S. C., Supp. III, 351-359).

**SEC. 2.34 Sodium permits and leases.** Sodium permits, leases, and use permits under sections 23 to 25 inclusive of the act of February 25, 1920, as amended (30 U. S. C. 261-263), and under the act of August 7, 1947 (30 U. S. C., Supp. III, 351-359).

**SEC. 2.35 Sulphur permits and leases.** Sulphur permits and leases under the act of April 17, 1926, as amended (30 U. S. C. 271), and under the act of August 7, 1947 (30 U. S. C. Sup. III, 351-359).

**SEC. 2.41 Mineral leasing; relief and suspensions.** With the concurrence of the Director, Geological Survey, (a) the waiver, suspension or reduction of the rental or minimum royalty or the reduction of the royalty on an entire leasehold, or on any deposit, tract, or portion thereof segregated for royalty purposes, and (b) the granting of suspensions of operations or production or both, and the final approval, modification, or revocation of temporary suspensions of this kind which have been or may be granted. This shall not affect the authority granted the regional oil and gas supervisors and the regional mining supervisors of the Geological Survey by Order No. 2530 of August 16, 1949.

**SEC. 2.42 Agreements to compensate for drainage of oil or gas.** Execution of agreements for payment of compensatory royalties because of drainage of oil or gas.

**SEC. 2.43 Gold, silver, and quicksilver leases.** Leases of gold, silver, and quicksilver to the owners of confirmed private land claims, pursuant to 43 CFR Part 187.

**SEC. 2.44 Minerals subject to lease under special laws.** Leases of sand, gravel, and other minerals under special laws, pursuant to 43 CFR Part 199; also leases of certain mineral deposits in acquired lands, pursuant to 43 CFR 200.31 to 200.36 inclusive.

**SEC. 2.45 Mining claims.** Mining claims, pursuant to the general mining

laws and laws supplemental thereto, and 43 CFR Parts 185 and 69.

#### NONMINERAL MATTERS, EXCEPT RANGE MANAGEMENT AND TIMBER

**SEC. 2.51 Airports.** (a) Leases of public lands for public airports, under the act of May 24, 1928 (49 U. S. C. 211-214).

(b) All actions under the Federal Airport Act (49 U. S. C. 1101), up to the issuance of patents.

**SEC. 2.52 Alaska, fur farms.** Lease of public lands in Alaska for fur farms, under the act of July 3, 1926 (48 U. S. C. 360 and 361).

**SEC. 2.53 Alaska, homesites or headquarters.** Homesites or headquarters in Alaska, pursuant to 43 CFR Part 64.

**SEC. 2.54 Alaska Housing Authority.** Transfer to the Alaska Housing Authority of lands above high water mark and under the jurisdiction of the Department of the Interior, pursuant to section 6 of the Alaska Housing Act of April 23, 1949 (48 U. S. C. 484c).

**SEC. 2.55 Alaska, Matanuska Valley.** Disposal of land in the Matanuska Valley, Alaska, under the act of October 17, 1940 (48 U. S. C. 353 note).

**SEC. 2.56 Alaska public works.** Transfers in accordance with section 7 of the act of August 24, 1949 (48 U. S. C. 486e) of any interest in public lands in Alaska for any public works project which has been approved under section 4 of the act.

**SEC. 2.57 Alaska, Trade and manufacturing sites.** Trade and manufacturing sites in Alaska, pursuant to 43 CFR Part 81.

**SEC. 2.61 Cemetery sites.** Cemetery sites, including such sites in Alaska, pursuant to 43 CFR Parts 72 and 253.

**SEC. 2.62 Color-of-title and riparian claims.** Color-of-title and riparian claims, under 43 CFR Parts 140 and 141.

**SEC. 2.63 Exchanges.** (a) Exchanges of lands, and, in national forests of timber for lands, under 43 CFR Parts 146 to 152, inclusive.

(b) Exchanges of reclamation lands under the act of March 4, 1915 (43 U. S. C. 447) and under section 44 of the act of May 25, 1926 (43 U. S. C. 423c).

(c) Exchanges of reversioned Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, in Oregon, under 43 CFR Part 115.

(d) Exchanges under Title III of the Bankhead-Jones Farm Tenant Act approved July 22, 1937 (7 U. S. C. 1011), and the related provisions of Title IV thereof, so far as the exchanges involve public lands subject thereto, after the exchanges have been approved by an authorized officer of the Department of Agriculture.

(e) Exchanges for the Pueblo and certain other Indians in New Mexico, under section 2 of the act of August 13, 1949 (63 Stat. 604).

(f) The authority delegated by this section shall not include the approval of any exchange where the value of the selected lands exceeds \$250,000.

**SEC. 2.64 Homesteads.** Homesteads, including homesteads in Alaska, pursuant to 43 CFR Parts 166 to 170, inclusive, and Parts 65 and 66.

**SEC. 2.65 Indian allotments.** Indian allotments, including such allotments in Alaska, with the concurrence of the Commissioner of Indian Affairs, pursuant to 43 CFR Parts 176 and 67.

**SEC. 2.66 Material other than timber.** Any sale or contract for the sale of material other than timber, or the free use of materials other than timber, under 43 CFR Part 259.

**SEC. 2.67 Mineral or medicinal springs.** Leases of lands adjacent to mineral or medicinal springs, under the act of March 3, 1925 (43 U. S. C. 971).

**SEC. 2.68 Motion or sound pictures.** Permits to film motion or sound pictures on areas under the jurisdiction of the Bureau of Land Management, pursuant to 43 CFR Part 5.

**SEC. 2.69 Parks and recreational sites.** Parks and recreational sites, when authorized by law.

**SEC. 2.70 Public sales.** Public sales pursuant to 43 CFR Part 250, and other sales of land by competitive bidding, when authorized by law.

**SEC. 2.71 Reclamation and irrigation.** Reclamation and desert-land entries, State irrigation districts, and Nevada underground-water permits and entries, pursuant to 43 CFR Parts 230 to 234 inclusive.

**SEC. 2.72 Rights-of-way.** (a) Right-of-way permits and easements over public and acquired lands, including reversioned Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and over reservations other than Indian reservations, when authorized by law.

(b) Approval of construction in advance of the issuance of a permit or the granting of an easement.

(c) Actions involving lands within national parks, or any reservation of the United States, made for the use of or administered by the National Park Service, the Fish and Wildlife Service, the Bureau of Reclamation, or any agency outside of the Department of the Interior, may be taken only after the consent of the head of the bureau or agency administering the reservation has been obtained.

**SEC. 2.73 Small tracts.** Small tracts, under the act of June 1, 1938 (43 U. S. C. 682a), as amended.

**SEC. 2.74 Special land-use permits.** (a) Special land-use permits for public lands, pursuant to 43 CFR Part 258.

(b) Special land-use permits for reversioned Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon pursuant to 43 CFR 115.150.

(c) Special land-use permits for acquired lands under the administration of the Bureau of Land Management, under the principles embodied in 43 CFR Part 258.

(d) Permits to use areas below the high-water mark of navigable waters in Alaska for occupancy purposes under the principles embodied in 43 CFR Part

258, subject to rules, regulations, and requirements of the Department of the Army respecting the navigation of such streams.

(e) Landing and wharf permits on reserved shore space in Alaska pursuant to 43 CFR Part 68.

(f) Every such permit issued to a Federal agency or to a State agency or political subdivision shall be restricted to the smallest area needed for the proposed use. Not more than 50,000 acres may be included in such a permit, and no such permit may be issued under this authority where a withdrawal of a class which the Director is not authorized to make is requested.

**SEC. 2.75 Specified tracts of land.** Disposal of specified tracts of land when authorized by law, pursuant to the conditions specified in the statute.

**SEC. 2.76 State grants, and grants to Territory of Alaska.** State grants and selections, and grants to and selections by the Territory of Alaska, when authorized by law, including the approval of clear lists pursuant to section 2449 of the Revised Statutes (43 U. S. C. 859).

**SEC. 2.77 Surface rights.** Nonmineral applications for lands embraced in mineral permits or leases, or in applications for such permits or leases, or classified, withdrawn, or reported as valuable for any leasable mineral, or lying within the geologic structure of a field, in accordance with 43 CFR Parts 102 and 66.

**SEC. 2.78 Town sites.** All town-site matters: *Provided*, That reclamation town-site matters shall be handled jointly with the Director, Bureau of Reclamation, pursuant to 43 CFR 255.42 to 255.45 inclusive, and 255.47.

**SEC. 2.79 Water wells.** Water-well leases, pursuant to section 40 of the Mineral Leasing Act (30 U. S. C. 229a) and 30 CFR 241.6.

#### RANGE MANAGEMENT

**SEC. 2.91 Grazing district administration.** All matters pertaining to the administration of grazing districts, pursuant to the act of June 28, 1934, as amended and supplemented (43 U. S. C. 315 et seq., 16 U. S. C. 715i), and 43 CFR Parts 161, 163, and 165.

**SEC. 2.92 Grazing leases, etc.** (a) Grazing leases of public lands, under section 15 of the act of June 28, 1934, as amended (43 U. S. C. 315m) and permits or cooperative agreements to construct and maintain improvements on lands so leased, and to determine the value of such improvements.

(b) Grazing leases of the reversioned Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands in Oregon, and crossing permits for such lands, in accordance with 43 CFR Part 115.

(c) Grazing leases of public lands in Alaska, under the act of March 4, 1927 (43 U. S. C. 471, 471a-471c).

**SEC. 2.93 Appropriation of water under State laws.** Execution and filing in the name of the United States of applications to appropriate water under State laws, where required in connection

with stock-watering projects, and procurement of easements or rights-of-way upon or over private lands, where improvements are erected.

Sec. 2.94 *Soil and moisture conservation.* Soil and moisture conservation on the public lands, pursuant to the Soil Conservation Act of April 27, 1935 (16 U. S. C. 590a et seq.), and subject to the coordination and general supervision of the Office of the Secretary.

Sec. 2.95 *Controlled brush burning.* Issuance of permits for the controlled burning of brush, as a means of improving the range by the replacement of the brush with grass and other desirable species, in accordance with approved plans and specifications.

#### TIMBER

Sec. 2.121 *Disposition of timber.* (a) The disposition or free use of timber when authorized by law on lands under the jurisdiction of the Bureau of Land Management, including the re-vested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, in Oregon. This authority shall not authorize the approval of sustained-yield timber units, or the approval of any sale of timber in excess of 40,000,000 board feet.

(b) Sales of timber on lands under the jurisdiction of the Bureau of Reclamation, in accordance with Order No. 2533 of September 7, 1949.

Sec. 2.122 *Hearings in connection with sustained-yield forest units.* Scheduling and holding of public hearings on master forest units and their appurtenant marketing areas, and on sustained-yield forest units and cooperative agreements for sustained-yield forest units, comprising re-vested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and lands in private ownership or controlled by other public agencies, under authority of the act of August 28, 1937 (50 Stat. 874) and 16 U. S. C. 583, 583a-583i. The notice of hearing may designate any qualified employee in the region to hold the hearing.

Sec. 2.123 *Cutting of timber on certain mining claims in Oregon.* Applications from owners of mining claims located since August 28, 1937, on re-vested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, to cut and use so much of the timber on the mining claims as is necessary in the development and operation of the mines until such time as the timber is otherwise disposed of by the United States, pursuant to the act of April 8, 1948 (62 Stat. 162).

Sec. 2.124 *Timber patents.* Extension of time in which to cut timber under timber patents on the re-vested and reconveyed land in Oregon, under the act of May 19, 1930 (46 Stat. 369) and the termination of rights under timber patents under the act of June 9, 1916 (39 Stat. 218).

#### PART 3—APPEALS

SECTION 3.1 *Right of appeal.* Any person aggrieved by any action of the Director may appeal to the Secretary of

the Interior, pursuant to the rules of practice (43 CFR Part 221).

#### PART 4—EFFECT ON PRIOR ORDERS

SECTION 4.1 *Revocations.* Orders Nos. 2225, 2226, 2238, 2267, 2277, 2307, 2319, 2325, 2359, 2367, 2407, 2414, 2415, 2425, 2430, 2441, 2451, 2467, 2468, 2471, 2472, 2477, 2478, 2494, 2495, 2559, 2560, and Order of December 15, 1947, 12 F. R. 8677 are hereby revoked to the extent that those orders relate to the Bureau of Land Management.

Sec. 4.2 *Saving clause.* Subdelegations of authority which have been made pursuant to the orders listed in section 4.1 and which are in force on the effective date of this order, shall remain in force until revoked or superseded by subdelegations made under this order.

OSCAR L. CHAPMAN,  
Secretary of the Interior.

[F. R. Doc. 50-7323; Filed, Aug. 22, 1950;  
8:45 a. m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### LEARNER EMPLOYMENT CERTIFICATES

##### NOTICE OF ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938, as amended.

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 of the regulations issued thereunder (29 CFR, Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in those regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportwear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, (29 CFR 522.160 to 522.165; as amended, January 25, 1950 (15 F. R. 399)).

Abbotstown Garment Co., Box 48, Abbotstown, Pa., effective 8-14-50 to 3-31-51; 10 percent normal labor turnover (men's and boys' sport jackets).

Albert Sportswear Co., 788 Communipaw Avenue, Jersey City, N. J., effective 8-9-50 to 3-31-51; 10 percent normal labor turnover (women's blouses and sportswear).

Allene Sportswear Manufacturing Co., Inc., 234½ Trinity Avenue SW., Atlanta, Ga., effective 8-7-50 to 3-31-51; 10 percent normal labor turnover (dresses and blouses).

Athco Inc., Athens, Ala., effective 7-26-50 to 3-31-51; 53 learners for expansion purposes (undergarments and sleeping wear).  
Barbizon of Utah, Inc., 149 North First West, Provo, Utah, effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (ladies' lingerie).

Blue Belle Dress Co., Inc., Blue Bell and Virginia Avenues, Williamstown, N. J., effective 8-7-50 to 3-31-51; 10 percent normal labor turnover (dresses, housecoats, etc.).

Cross Country Clothes, Inc., 39 West Twenty-first Street, Northampton, Pa., effective 7-26-50 to 3-31-51; 7 percent of productive factory force (men's suits and sport coats).

East Jewett Dress Co., East Jewett, N. Y., effective 8-11-50 to 3-31-51; five learners (women's dresses).

Edgefield Shirt Co., Inc., Swainsboro, Ga., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (men's shirts).

Frederick Tailoring Co., 241 East Fourth Street, Frederick, Md., effective 7-31-50 to 3-31-51; 7 percent of productive factory force (men's suits).

Frederick Tailoring Co., Mount Airy Plant, Mount Airy, Md., effective 7-31-50 to 3-31-51; 7 percent of productive factory force (men's coats).

Garver Manufacturing Corp., Wilmington, N. C., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (sport shirts).

Great Lakes Garment Manufacturing Co., Onaway, Mich., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (work trousers).

Industrial Garment Manufacturing Co., 201 East Oak Street, Palestine, Tex., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (men's cotton work pants).

J. & B. Sportswear Co., Box 1, Flicksville, Pa., effective 8-11-50 to 3-31-51; four learners (ladies' blouses).

Johnstown Pajama Co., Inc., 1346 Franklin Street, Johnstown, Pa., effective 8-11-50 to 3-31-51; 10 learners (ladies' cotton pajamas).

Keystone Mills, Inc., 325 South Lancaster Street, Annville, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (cotton polo shirts, ladies' cotton underwear).

Harry Lang Manufacturing Co., Des Moines, Iowa, effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (children's cotton play clothing).

Lincoln Tailoring Association, West All Saints Street, Frederick, Md., effective 7-31-50 to 3-31-51; 10 percent normal labor turnover (men's trousers).

Logan Manufacturing Co., Russellville, Ky., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (work pants).

Manford Sportswear, 237 South Market Street, Chicago, Ill., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (dresses).

Pacific Undergarment Co., Inc., 288 Plymouth Avenue, Fall River, Mass., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (ladies' cotton night gowns, petticoats and pajamas).

Pearce Manufacturing Co., Howard, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (men's woolen dress shirts and jackets).

Puritan Raincoat Co., Inc., Walnut and Linden Streets, Lansdale, Pa., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (men's raincoats and outerwear).

Smith Brothers Manufacturing Co., 204 North Fourth Street, St. Joseph, Mo., effective 8-10-50 to 3-31-51; 2½ percent of the number of productive factory workers for expansion purposes (overalls, pants, etc.).

South Pine Nightwear Co., Inc., York, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (pajamas and night shirts).

Standard Garments, Inc., Chase City, Va., effective 8-10-50 to 3-31-51; 10 percent normal labor turnover (men's shirts).

Levi Strauss and Co., 220 North Houston Avenue, Denison, Tex., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (denim waist band overalls).

Levi Strauss and Co., 220 North Houston Avenue, Denison, Tex., effective 7-26-50 to 3-31-51; 43 learners for expansion purposes (denim waist band overalls).

Sturgis Clothing, Inc., Sixth and Main Street, Sturgis, Ky., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (single pants).

Taney Sewing Co., Taneytown, Md., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (men's pajamas).

Taunton Garment Co., 42 Adams Street, Taunton, Mass., effective 8-10-50 to 3-31-51; 10 percent normal labor turnover (dresses).

Troutman Shirt Co., Inc., Mooresville, N. C., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (work shirts).

I. Unterberg & Co., Inc., York, Pa., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (men's shirts).

Victory Dress Co., 520 North George Street, York, Pa., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (children's dresses).

Meyer Weiss, Fourteenth and Market Streets, Pottsville, Pa., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (blouses).

Well Made Novelty Co., South Murray Street, Bangor, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (blouses).

Westchester, Inc., 77 Bedford Street, Boston, Mass., effective 8-11-50 to 3-31-51; 10 percent normal labor turnover (blouses).

Wind Gap Manufacturing Co., Borough of Wind Gap, Northampton County, Pa., effective 8-14-50 to 3-31-51; 10 percent normal labor turnover (women's and children's nightwear).

**Hosiery Learner Regulations (29 CFR 522.40 to 522.51; as revised January 25, 1950 (15 F. R. 283)).**

Slatedale Knitting Mills, Inc., Slatedale, Pa., effective 8-25-50 to 8-24-51; 5 percent of the total productive factory workers, not including office and sales personnel.

**Cigar Learner Regulations (29 CFR 522.201 to 522.211; as amended January 25, 1950 (15 F. R. 400)).**

Lewis Cigar Manufacturing Co., Selma, Ala., 10 percent learners; effective 8-11-50 to 3-31-51, cigar machine operating, 320 hours, 60 cents per hour; packing (cigars retailing for 6 cents or less), 160 hours, 60 cents per hour; packing (cigars retailing for more than 6 cents), 320 hours, 60 cents per hour; machine stripping, 160 hours, 60 cents per hour.

Paredi Cigar Co. of New York, 1015 North Main Street, Scranton, Pa., 10 percent learners; effective 7-25-50 to 3-31-51, making Italian stogies, 640 hours, 60 cents per hour for the first 320 hours, 65 cents per hour for remaining 320 hours; hand stripping, 160 hours, 60 cents per hour; packing (cigars retailing at 6 cents or less each), 160 hours, 60 cents per hour.

**Glove Learner Regulations (29 CFR, 522.220 to 522.222; as amended January 25, 1950 (15 F. R. 400)).**

Boreal Manufacturing Co., 1523 Main Street, Marinette, Wis., effective 7-25-50 to 10-25-50; 10 percent of the total number of employees engaged (gloves).

The Boss Manufacturing Co., 327 North Main Street, Bluffton, Ohio, effective 7-25-50 to 10-25-50; 10 percent of the total number of employees engaged (gloves).

The Boss Manufacturing Co., 319 West Main Street, Findlay, Ohio, effective 7-25-50

to 10-25-50; 10 percent of the total number of employees engaged (work gloves).

Indianapolis Glove Co., Inc., Coshocton, Ohio, effective 7-25-50 to 10-25-50; 10 percent of the total number of employees engaged (gloves).

Seattle Glove Co., 519 Twelfth Avenue South, Seattle, Wash., effective 7-25-50 to 10-25-50; 10 percent of the total number of employees engaged (gloves).

Warlong Glove Manufacturing Co., Conover, N. C., effective 7-25-50 to 10-25-50; 10 percent of the total number of employees engaged (gloves).

**Knitted Wear Learner Regulations (29 CFR 522.68 to 522.79, as amended January 25, 1950 (15 F. R. 398)).**

The Bernhard Altmann Texas Corp., 2805 South Flores Street, San Antonio, Texas, effective 7-26-50 to 3-31-51; 5 percent of the number of productive factory workers (ladies sweaters).

The Bernhard Altmann Texas Corp., 2805 South Flores Street, San Antonio, Texas, effective 7-26-50 to 3-31-51; five learners for expansion purposes (ladies sweaters).

Ashland Knitting Mills, Front and Chestnut Streets, Ashland, Pa., effective 7-26-50 to 3-31-51; 5 percent of the number of productive factory workers (cotton knit underwear).

Ashland Knitting Mills, Front and Chestnut Streets, Ashland, Pa., effective 7-26-50 to 3-31-51; 20 learners for expansion purposes (cotton knit underwear).

Dutchess Underwear Corp., Old Forge, Pa., effective 7-25-50 to 3-31-51; 5 percent of the productive factory force engaged (ladies knit underwear).

**Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).**

Colonial Products Co., Inc., Geneva, Ala., effective 7-25-50 to 1-24-51; 10 percent of total productive factory workers, not including sales or office personnel; machine operating, 320 hours, punch work operators, 640 hours; machine operating; 55 cents for the first 160 hours and 65 cents for the remaining 160 hours. Punch work operators; 55 cents for the first 320 hours and 65 cents for the remaining 320 hours. (Manufacturing tufted bedspreads and bath sets.)

De Haan and Co., Chester, Pa., effective 7-26-50 to 1-25-51; four learners; hand sewers only, 320 hours, 60 cents (manufacturing silk lamp shades).

Kendrick & Davis Co., Lebanon, N. H.; replacement certificates; effective 7-12-50 to 1-11-51; five learners; machine operators and electric motor assemblers, 480 hours, 60 cents for the first 320 hours and not less than 65 cents for the remaining 160 hours (manufacturing watchmaker's tools).

Leominster Plastics Co., Fitchburg, Mass., effective 8-14-50 to 2-13-51; 10 percent of the total productive factory force, not including sales or office personnel; assemblers, including such productive factory jobs as cementing, swedging, spraying, packing, assembling, stenciling, painting, blocking, breaking, tickling, ribboning, boxing, card, dress, and insert shot, 160 hours, 65 cents per hour, except for such jobs for which higher wage rates have been established in collective bargaining agreements (manufacturing plastic toys).

Jos. Lieberman & Sons, Inc., Philadelphia, Pa., effective 8-11-50 to 2-10-51; three learners; brush makers, 120 hours, 60 cents (manufacturing brushes).

Nashua Plastics Co., Inc., Nashua, N. H., effective 8-14-50 to 2-13-51; 10 percent of the total productive factory force, not including sales or office personnel; assemblers, including such productive factory jobs as cementing, swedging, spraying, packing, assembling, stenciling, painting, blocking,

breaking, tickling, ribboning, boxing, card, dress, and insert shot, 160 hours, 65 cents per hour, except for such jobs for which higher wage rates have been established in collective bargaining agreements (manufacturing of toy metal motors and plastic toys).

Polly Prentiss Originals, Inc., 724 North Main Street, Sumter, S. C., effective 8-14-50 to 2-13-51; 50 learners; tufting and punch work operators, 640 hours, sewing machine operator, hand sewing and workers in finishing operations involving hand sewing, 320 hours, 640 hour period—55 cents for the first 320 hours and 65 cents for the remaining 320 hours—320 hours period—55 cents for the first 160 hours and 65 cents for the remaining 160 hours (chenille robes).

Tamale-ette Corp., 1316 North Grand Avenue, Gainesville, Tex., effective 7-25-50 to 1-25-51; 15 learners; chili and tamale makers, 240 hours, 65 cents for the first 160 hours and 70 cents for the remaining 80 hours (cannery, manufacturing chili and tamales).

The following special learner certificates were issued in the Shoe Industry. These certificates authorize the employment of learners in any occupations except custodial, maintenance, supervisory, and office and clerical occupations. The learning period is 480 hours at not less than 65 cents an hour for the first 240 hours and not less than 70 cents an hour for the next 240 hours, except as otherwise indicated in parentheses.

Day Wood Heel Co., 1930 Westwood Avenue, Cincinnati, Ohio, effective 8-8-50 to 8-25-50; two learners (coverer, 240 hours, not less than 65 cents an hour for 240 hours).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 17th day of August 1950.

ISABEL FERGUSON,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 50-7327; Filed, Aug. 22, 1950; 8:46 a. m.]

## Wage and Hour and Public Contracts Divisions

### EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

#### NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29

U. S. C. 214; as amended, 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR, Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

The New Haven Goodwill Industries, Inc., 238 State Street, New Haven 10, Conn.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 25 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1950 and expires July 31, 1951.

The Morgan-Memorial Co-Operative Industries and Stores, Inc., 89 Shawmut Avenue, Boston 16, Mass.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 25 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1950, and expires July 31, 1951.

Veterans of Foreign Wars of the United States, 406 West Thirty-fourth Street, Kansas City 2, Mo.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 15 cents per hour, whichever is higher, and a rate of not less than 10 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective September 1, 1950 and expires August 31, 1951.

Davis Memorial Goodwill Industries, 1216 New Hampshire Avenue NW., Washington, D. C.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 50 cents per hour, whichever is higher, and a rate of not less than 25 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective August 1, 1950, and expires July 31, 1951.

Evansville Association for the blind, 500 Second Avenue, Evansville, Ind.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 40 cents per hour, whichever is higher, and a rate of not less than 30 cents for each new client during his initial 4-week evaluation period in the workshop; cer-

tificate is effective August 28, 1950, and expires February 28, 1951.

Training Center for Adult Blind, 3601 Telegraph Avenue, Oakland 9, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 65 cents per hour, whichever is higher, and a rate of not less than 25 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective July 31, 1950, and expires January 31, 1951.

Goodwill Industries of San Francisco, Santa Cruz Branch, 204 Union Street, Santa Cruz, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards, or not less than 58 cents per hour, whichever is higher, and a rate of not less than 50 cents for each new client during his initial 4-week evaluation period in the workshop; certificate is effective January 25, 1950, and expires January 24, 1951.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitative activity of an educational or therapeutic nature."

These certificates may be cancelled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the **FEDERAL REGISTER**.

Signed at Washington, D. C., this 11th day of August 1950.

RAYMOND G. GARCEAU,  
Assistant Administrator.

[F. R. Doc. 50-7324; Filed, Aug. 22, 1950; 8:45 a. m.]

## HOUSING AND HOME FINANCE AGENCY

### Public Housing Administration

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Section III, *Field organization and final delegations of authority*, is amended as follows:

1. Subparagraph (j) is added to paragraph b 8, as follows:

(j) To approve the disbursement by Local Housing Authorities of preliminary loan funds, including disbursements to make payments for materials or services purchased or contracted for by Local Housing Authorities prior to the date of the Preliminary Loan Contract to the same extent that such materials or services may properly be purchased or contracted for by Local Housing Authorities subsequent to the date of the Preliminary Loan Contract.

2. Subparagraph (3) is added to section III b 6 (i) as follows:

(3) To execute Administration Fund Agreements on behalf of the PHA.

Approved: August 16, 1950.

[SEAL] JOHN TAYLOR EGAN,  
Commissioner.

[F. R. Doc. 50-7325; Filed, Aug. 22, 1950; 8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 25338]

RESIDUAL FUEL OIL FROM CHARLESTON, S. C., TO NORTH CAROLINA

APPLICATION FOR RELIEF

AUGUST 18, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of the Southern Railway Company and Yadkin Railroad Company.

Commodities involved: Petroleum residual fuel oil, tank carloads.

From: Charleston, S. C.

To: Albermarle and Badin, N. C.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1065, Supplement 166.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7328; Filed, Aug. 22, 1950; 8:46 a. m.]

[4th Sec. Application 25339]

COAL CINDERS FROM SHEFFIELD, ALA., TO  
SHREVEPORT, LA.

## APPLICATION FOR RELIEF

AUGUST 18, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3647.

Commodities involved: Coal cinders, carloads.

From: Sheffield, Ala.

To: Shreveport, La.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3647, Supplement 265.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7329; Filed, Aug. 22, 1950;  
8:46 a. m.]

SECURITIES AND EXCHANGE  
COMMISSION

[File No. 70-2456]

PUBLIC SERVICE CO. OF NEW HAMPSHIRE  
NOTICE OF FILING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 16th day of August, A. D. 1950.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("the Act") by Public Service Company of New Hampshire ("the Company"), an operating utility company and a direct subsidiary of New England Public Service Company, a registered holding company which in turn is a subsidiary of Northern New England Company, also a registered holding company. Applicant designates section 6 (b) of the act and Rules U-23 and U-24 thereunder as applicable to the proposed transaction.

All interested parties are referred to said application on file in the office of the Commission for a statement of the

transaction therein proposed, which is summarized as follows:

The Company seeks authorization to issue or renew, from time to time, up to December 31, 1950, notes having a maturity of nine months or less up to a maximum amount of \$6,500,000 at any time outstanding (including notes outstanding as of July 31, 1950, in the amount of \$2,600,000).

The Company estimates that its net cash requirements for new construction will be \$3,062,800 for the six months ending December 31, 1950, and that it will be necessary to increase its short-term borrowings to \$6,500,000 by the end of the year in order to carry out its construction program and to meet its other cash needs. The aggregate amount of the short-term notes to be issued will exceed 5 per cent of the principal amount and par value of the other securities of the Company then outstanding.

The Company anticipates that it will be able to borrow the required funds at an interest rate not over 2 percent per annum. It states that if the interest rate should exceed 2 percent per annum on any of the notes, it will file an appropriate amendment to its application at least five days before the execution and delivery of any such note, and asks that such amendment shall become effective without further order of the Commission at the end of the five-day period unless the Commission shall have notified the Company to the contrary.

The Company expresses the desire to refund the short-term notes principally through the issue and sale of common stock. However, the Company states that under abnormal conditions it may be necessary to refinance with other types of securities.

It is further stated that the proposed transaction is not within the jurisdiction of the State commission, and that there will be no expenses to the Company in connection with the transaction except legal and other incidental expenses, estimated at not more than \$300.

The Company requests that the order of the Commission herein be made effective upon issuance.

Notice is further given that any interested person may, not later than August 28, 1950, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 50-7326; Filed, Aug. 22, 1950;  
8:46 a. m.]

## DEPARTMENT OF JUSTICE

## Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 14649]

## ELSE HUHS

In re: Interest in oil, gas and other minerals in and under certain real property, and claim owned by Else Huhs, nee Luders, also known as Elsie Weiberg.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Else Huhs, nee Luders, also known as Elsie Weiberg, whose last known address is Volkmarshausen b. Hahn, Munden, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided one-fourth (1/4) interest in and to all of the oil, gas and other minerals in and under and that may be produced from the following described lands situated in Oklahoma County, State of Oklahoma, to-wit: Lot Forty-eight (48), Block Eighteen (18), Walnut Grove Addition to Oklahoma City, Oklahoma, as shown by the recorded plat thereof, being the same interest conveyed to Christina Heuler, now deceased, by General Industries Corporation, Ltd. (a California corporation), Los Angeles, California, by mineral deed dated November 1, 1933 and recorded November 24, 1933 in Book 257, Page 301 of the Records of the County Clerk of Oklahoma County, State of Oklahoma, together with any and all claims for rents, refunds, royalties, benefits or other payments arising from the ownership of such interest, and

b. That certain debt or other obligation of Phillips Petroleum Company, Bartlesville, Oklahoma, arising from royalties accrued with respect to the above described mineral interest and represented on the books and records of said Phillips Petroleum Company by an account in the name of Christina Heuler, deceased, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Else Huhs, nee Luders, also known as Elsie Weiberg, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 50-7312; Filed, Aug. 21, 1950;  
8:51 a. m.]

[Vesting Order 14911]

BRUNO MAHLKE and NORMAN C. GROSS

In re: Interests of Bruno Mahlke in an agreement dated November 26, 1943, by and between Bruno Mahlke and Norman C. Gross.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the personal representatives, heirs, next of kin, legatees and distributees of Bruno Mahlke, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a foreign country (Germany);

2. That the property described as follows: All interests and rights (including all accrued royalties and other monies payable or held with respect to such interests and rights and all damages for breach of the agreement hereinafter described, together with the right to sue therefor) created in Bruno Mahlke by virtue of an agreement between Bruno Mahlke and Norman C. Gross dated November 26, 1943, (including all modifications thereof and supplements thereto, if any) which agreement relates, among other things, to United States Letters Patents Nos. 2,210,765 and 2,339,791,

is property payable or held with respect to patents or rights related thereto in which interests are held by, and such property itself constitutes interests held therein by, the aforesaid nationals of a foreign country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been

made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 50-7337; Filed, Aug. 22, 1950;  
8:49 a. m.]

[Vesting Order 14915]

ARNOLD CARL CORNILS

In re: Estate of Arnold Carl Cornils, deceased; File No. D-28-9550; E. T. sec. 13080.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Emma Drucker, Rosa Liebscher, Clara Siemen and Emilie Hahn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations of The Toy National Bank and The Farmers Loan and Trust Company, Sioux City, Iowa, arising by reason of accounts maintained with the aforesaid bank for Emma Drucker, Rosa Liebscher, Clara Siemen, and Emilie Hahn, and any and all rights to demand, enforce and collect the same,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have

the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 50-7338; Filed, Aug. 22, 1950;  
8:49 a. m.]

[Vesting Order 14919]

JOHN HOERNER

In re: Estate of John Hoerner, deceased. File No. F-28-28491; E. T. sec. 17031.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ferdinand Hoerner and Frederick Hoerner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the sum of \$2,397.98 deposited with the County Treasurer of Madison County, Illinois, pursuant to an order of the Probate Court of Madison County, Illinois, dated May 19, 1941, in the matter of the Estate of John Hoerner, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by the County Treasurer of Madison County, Illinois, acting under the judicial supervision of the Probate Court of Madison County, Illinois;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 50-7339; Filed, Aug. 22, 1950;  
8:49 a. m.]

[Vesting Order 14922]

CORD MEYER

In re: Estate of Cord Meyer, deceased; File No. D-28-12776; E. T. sec. 16947.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bernhart Weking, whose last known address is Germany is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, and interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Estate of Cord Meyer, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Herbert Buhring, Administrator C. T. A. acting under the judicial supervision of the Surrogate's Court, Delaware County, New York;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the prop-

erty described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[P. R. Doc. 50-7340; Filed, Aug. 22, 1950;  
8:49 a. m.]

[Vesting Order 14917]

SOPHIA HEIDORN

In re: Trust under the Will of Sophia Heidorn, deceased. File No. D-28-12832; E. T. sec. No. 17030.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hilda Kruse, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the trust created under the will of Sophia Heidorn, deceased, is property payable or deliver-

able to, or claimed by the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Richard Kruse, as trustee, acting under the judicial supervision of the Surrogate's Court of Westchester County, New York;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[P. R. Doc. 50-7310; Filed, Aug. 21, 1950;  
8:51 a. m.]